



# History of Kansas

BY  
NOBLE L. PRENTISS




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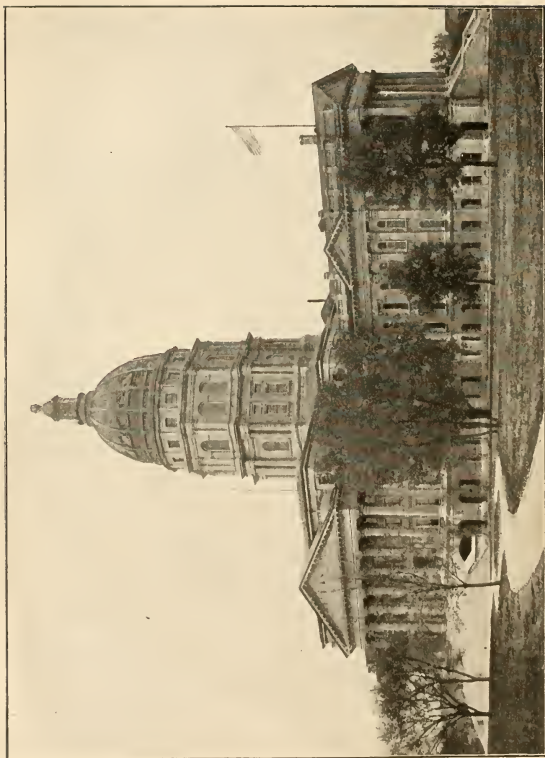


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Kansas State Capitol, May, 1899.

# A HISTORY OF KANSAS.

BY

NOBLE L. PRENTIS,

OF THE "KANSAS CITY STAR."

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## PREFACE.

**1692874**

The attempt has been made, in preparing this volume, to give, within a convenient compass, the most interesting and material occurrences and events in the history of the rise of a great Free State from a wilderness. Harrowing details and discreditable happenings have been purposely omitted.

The story has been told as a record of courage and steadfastness, and increasing devotion to the principles of human freedom and national union.

Events have been arranged, as nearly as possible, in the order of the years, with an occasional arrangement of the years in periods or groups, with no further classification or subdivision.

No attempt has been made to "write down" to the supposed intellectual capacity of children. Students old enough to enter upon the study of the history of an American State, it is believed, will find all the statements and conclusions comprehensible.

It is to be hoped that the reader or student will consider this small and necessarily limited history of one State, as a help and introduction to the study of the history of the American Union, which should be the pride and privilege of every American citizen in youth and age.

NOBLE L. PRENTIS.

## CONTENTS.

CHAPTER	PAGE
I. NATURAL KANSAS . . . . .	9
II. FRENCH AND SPANISH KANSAS . . . . .	12
III. THE DISCOVERED COUNTRY . . . . .	15
IV. THE GREAT HIGHWAY . . . . .	24
V. THE INDIAN TERRITORY . . . . .	31
VI. THE KANSAS-NEBRASKA ACT . . . . .	41
VII. THE BEGINNING OF GOVERNMENT . . . . .	49
VIII. WAR AND RUMORS OF WAR . . . . .	58
IX. A GLIMPSE OF LIGHT . . . . .	65
X. THE LECOMPTON AND LEAVENWORTH CONSTITU- TIONAL CONVENTIONS . . . . .	69
XI. EVENTS OF 1858 . . . . .	73
XII. THE WYANDOTTE CONSTITUTIONAL CONVENTION.	77
XIII. THE TRAGEDY OF JOHN BROWN . . . . .	82
XIV. LAST OF TERRITORY AND FIRST OF STATE . . .	87
XV. THE FIRST LEGISLATURE . . . . .	93
XVI. CRADLED IN WAR . . . . .	96
XVII. QUANTRELL'S RAID . . . . .	105
XVIII. THE CLOSING SCENE . . . . .	110
XIX. PEACE AND HONOR . . . . .	120
XX. BUILDING THE STATE . . . . .	123
XXI. THE INDIAN WARS . . . . .	133
XXII. IMMIGRATION . . . . .	140
XXIII. THE CENTENNIAL YEAR . . . . .	150
XXIV. EVENTS OF THE DECADE . . . . .	156



CHAPTER	PAGE
XXV. AFTER TWENTY-FIVE YEARS . . . . .	164
XXVI. THE HAPPENINGS OF 1887 . . . . .	174
XXVII. A PROSPEROUS YEAR . . . . .	180
XXVIII. 1889.—THE DEVELOPING RESOURCES . . . . .	188
XXIX. KANSAS AND OKLAHOMA . . . . .	194
XXX. NEW POLITICAL FORCES . . . . .	198
XXXI. THE LEGISLATURE AND CHRONICLES OF 1891 . . . . .	205
XXXII. ANNALS OF 1892 . . . . .	216
XXXIII. LEGISLATION AND OTHER EVENTS OF 1893 . . . . .	220
XXXIV. PASSING OF THE PIONEERS . . . . .	231
XXXV. THE STORY OF 1895-96 . . . . .	240
XXXVI. THE YEARS 1897 AND 1898 . . . . .	248
XXXVII. KANSAS IN THE WAR . . . . .	256
XXXVIII. EVENTS OF 1899 . . . . .	271
XXXIX. A CHAPTER ON CAPITOLS . . . . .	277
XL. MAN AND NATURE . . . . .	283
XLI. KANSAS LITERATURE . . . . .	291

## APPENDIX.

DESCRIPTION OF COUNTIES . . . . .	301
ORGANIC ACT . . . . .	326
ADMISSION INTO THE UNION . . . . .	332
CONSTITUTION . . . . .	336
KANSAS TERRITORIAL OFFICERS—1854-1861 . . . . .	362
STATE OFFICERS OF KANSAS—1861-1899 . . . . .	363
KANSAS IN THE SPANISH WAR . . . . .	369

# A HISTORY OF KANSAS.

## CHAPTER I.

### NATURAL KANSAS.

1. **Character of Surface.**—Kansas has been described by geologists as a part of the great plain stretching from the Mississippi river on the east to the Rocky Mountains on the west. It is approximately 200 by 400 miles in extent, and should be looked upon as a block in the great plain, constituting an essential part of it, and not specially different from other portions lying on either side of it. The average elevation above sea level of the eastern end is about 850 feet, with Bonita, 1,075 feet above, as the highest point, and the Union Depot at Kansas City, 750 feet, the lowest. The northern boundary line rises steadily and uniformly westward from the Missouri river. The southern boundary rises and falls. At Coffeyville, the elevation is 734 feet, sixteen feet lower than at Kansas City. At the point of crossing the Flint Hills west of Independence, the elevation is 1,700 feet, declining to the westward. The elevation at Arkansas City is 1,066 feet. The lowest part of the State is where the southern line crosses the Verdigris valley. From Arkansas City, west, the ascent is gradual to the southwest corner. The western boundary varies slightly from north to south, but is between 3,500 and 4,000 feet above sea level.

2. **Appearance to Observer.**—The general effect is that of an immense prairie, rising westward into a very high prairie, but the appearance is not that of a flat and boundless plain. The waters of the State, which generally flow eastward, have an average fall for the whole State of nearly

eight feet to the mile. Although the surface is a great plain sloping eastward, its minute topography is often rugged and varied; valleys 200 feet deep, bluffs and mounds with precipitous walls 300 feet high; overhanging rocky ledges and remnants of cataracts and falls in numerous



Scene on the Marmaton, Bourbon Co., Kan.

streams, giving a variety of scenery, are to be observed all over the eastern part of the State, and to even a greater extent in some portions of the west.

**3. Effect on Kansas Literature.**—All the natural features of this great rectangle; all the varying aspects of the earth, as touched by the shaping hands of the seasons; all

the shifting panorama of the skies; all the myriad voices of the winds; the shine of shallow, wide and wandering streams; the fringing trees that watch the waters as they pass; the lovely charm of each rocky promontory that looks out upon the sea of grass, all these have proved to be the inspiring and informing spirit of Kansas literature.

#### **4. Story of Kansas Nature Told in Prose and Verse.—**

In all that has been written in prose and verse since first the wide wilderness heard the cautious but advancing feet of the pioneer, the story of Kansas nature has been told. The reader of books written in, by, and for Kansas, will find the journals of the Kansas year, with the impressions made on the minds and hearts of eye-witnesses by sun and cloud, by drouth and rain, and calm and storm. Such readers witness the procession of the days of the Kansas year. Days when, as one has written, "the broad, wintry landscape is flooded with that indescribable splendor that never was on sea or shore—a purple silken softness that half veils half discloses the alien horizon, the vast curves of the remote river, the transient architecture of the clouds, and days without clouds and nights without dew, when the effulgent sun floods the dome with fierce and blinding radiance, days of glittering leaves and burnished blades of corn, days when the transparent air, purged of all earthly exhalation and alloy, seems like a pure, powerful lens, revealing a remoter horizon and a profounder sky."

#### **SUMMARY.**

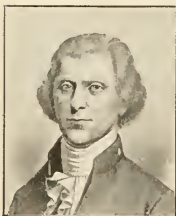
1. In the north the surface rises uniformly from Missouri river, while in the south it both rises and falls.
2. To an observer the surface is rugged and varied, and remnants of cataracts are found.

## CHAPTER II.

### FRENCH AND SPANISH KANSAS.

5. **Kansas in Louisiana Purchase.**—The present State of Kansas, with the exception of a small fraction in the southwest corner, which continued to belong to Spain, then to Mexico, and was finally ceded by Texas in 1850, formed part of the Louisiana purchase made by President Thomas Jefferson from Napoleon Bonaparte, First Consul of France.

6. **Beginning of Political History.**—The political history of Kansas was set in the way of beginning on the April day in 1803, when Napoleon said, with passion and vehemence, as was his wont: "Irresolution and deliberation are no longer in reason. It is not only New Orleans that I will cede, it is the whole colony without reservation."



Thomas Jefferson.

7. **United States Occupies Territory.**—The treaty which made Kansas American soil was concluded April 30, 1803, but St. Louis, and the province of Upper Louisiana, remained in the hands of the Spanish until March 9, 1804, nearly a year after. On that day Major Amos Stoddard, of the United States army, appeared at St. Louis, and acting as agent and commissary of the French Republic, received from Don Carlos Dehault Delassus, the Spanish Lieutenant-Governor, the formal cession of the province from Spain to France. The Spanish

Regiment of Louisiana moved out, a detachment of the First United States Artillery marched in, the American flag was raised, and the next day, March 10, 1804, Major Stoddard began the rule of the United States under the title of commandant.



Coronado Crossing the Territory in 1541.

**8. First American Ruler.**—Major Amos Stoddard, who was the descendant of the great divine, Jonathan Edwards, and grand-uncle of Hon. John Sherman, of Ohio, was the first American ruler of Kansas. He was a good man and brave soldier, and was mortally wounded in the defence of Fort Meigs, in Ohio, during the last war with Great Britain.

**9. Evidence of Spanish Exploration.**—The Kansas that belonged to Spain and France was not entirely unknown or unvisited. It is believed that Coronado reached the country from New Spain in 1541. Various French and Spanish parties marched to and through the country, in some cases erecting crosses in token of sovereignty. They met the Indians, the Osages, the Pawnees, and the Kansas or Kaws, sometimes in peace, sometimes in war, but these expeditions left no trace behind more than does the fish in the water, the bird in the air.

**10. Few Spanish or French Names.**—The French trappers and voyageurs gave names to a few of the streams and islands, but neither Frenchman nor Spaniard contributed perceptibly to the nomenclature of Kansas; while to the east of the river in Missouri, French names will remain while water runs in the Chariton, the Femme Osage, the Pomme de Terre, the Moniteau and many more, in Kansas the slight French occupation left few traces on the map. Neither do the Indians who inhabited Kansas seem to have been town-builders or name-givers. If the rivers of Kansas ever bore Indian names, the appellations of most have been changed, or so corrupted as to have become unrecognizable.

#### SUMMARY.

1. Kansas, except a small portion in the southwest, formed part of Louisiana Purchase.
2. The United States takes possession of Territory, March 10, 1804.
3. Coronado crossed the Territory in 1541.
4. A few points bear French names, given by trappers.



## CHAPTER III.

### THE DISCOVERED COUNTRY.

**11. Lewis and Clark Expedition Planned by Jefferson.**—With the acquisition of Upper Louisiana by the United States, came the spirit of enterprise and exploration. In the latter direction the new government set the example. Mr. Jefferson was full of interest and curiosity about the new empire of which so little was really known, and wrote with his own hand the directions governing the expedition which was to set out under Capt. William Clark, brother of Gen. George Rogers Clark, the conqueror of Illinois, and Capt. Merriwether Lewis, who had been the President's private secretary. He selected both these guides and leaders from personal acquaintance; both were Virginians, and from his own neighborhood.



Capt. William Clark.

**12. Reached Kansas River.**—The expedition reached the rendezvous near St. Louis early in the spring, and before the Spaniards were willing to acknowledge the Missouri as an American river. After the formal transfer the expedition, on the 10th of May, 1804, started up the turbid Missouri, and on June 27th reached the mouth of the Kansas river, landed and made a camp within the present limits of Kansas City, Kan.

**13. Independence Day at Atchison.**—Proceeding up the stream, the different journals kept by the voyagers noted objects on either shore which may still be recognized by the description. On the 4th of July, 1804, the party landed at or near the present site of Atchison at noon, and made brief



Capt. Merriwether Lewis.

observance of their country's natal day. Among those who joined in this first Fourth of July celebration in Kansas, was George Shannon, a brother of Wilson Shannon, afterwards to be a Territorial Governor of Kansas. The party named a small stream near their landing place, Fourth of July Creek, and going on up the river four miles, called another Kansas stream Independence Creek, a name which it bears to this day. So the Fourth of July came to Kansas.

**14. Expedition West to Pacific.**—A few days later, and the boats had passed beyond the limits of Kansas, and the voyagers were on their way to the "land of the Dakotas," to the unknown springs of the Missouri, to the untrodden passes of the Rocky Mountains, to the far Columbia, on to the sounding surges of the Pacific, to return after two years, with but the loss of a single man in all the perils of the waste and wild, each voyager to his appointed fate—William Clark to live for many years a prosperous gentleman and fourth Territorial Governor of Missouri, and Merriwether Lewis to die a mysterious death in a Tennessee wilderness.

▼ **15. Pike's Expedition Starts.**—On July 16, 1806, two years and two months after the Lewis and Clark expedition had gone up the Missouri, another expedition left Bellefon-

taine under the command of Lieut. Zebulon Montgomery Pike, a young and active officer of the United States Army, who, in the summer of 1805, had departed on an expedition to the head waters of the Mississippi. He had returned to St. Louis in April, 1806, and now, in July, was ordered on a mission destined to last longer, and to be fraught with more important consequences than he could have imagined.

**16. Purpose and Route Planned.**—His instructions were to take back to their tribe on the upper waters of the Osage river, some Osages who had been redeemed from captivity among the Pottawatomies; then to push on to the Pawnee Republic on the upper waters of the Republican river, then to go south to the Arkansas, and to the Red river, interviewing on the way the Comanches.

**17. Osage Village Reached.**—Pike followed the Missouri, and turned into the Osage (a continuation of the Kansas Marais des Cygnes), at that time, and for long afterward, a waterway to southern Kansas and Texas. He followed that picturesque stream to the Osage villages near the present line of Kansas and Missouri. He met there a chief named White Hair, who survived to the present generation of Kansas. Procuring horses at the Osage villages, Pike mounted his party of some twenty, officers and soldiers, and a number of Osages, and started to execute the remainder of his mission.

**18. Beauty of Kansas Country.**—Lieut. Pike entered Kansas in what is now Linn county, and kept on to the southwest, and climbing a high rise, came upon a sight which has delighted millions of eyes since his. "The prairie rising and falling in beautiful swells as far as the



Lieut. Zebulon Montgomery Pike.

sight can extend.” The party came to a high ridge, which Pike describes as the dividing line between the waters of the Osage and the Arkansas (which Pike spells Arkansaw). Still marching westward, the party reached the Neosho, and crossing it followed the divide, as Pike says, between the Neosho and the Verdigris. On the 17th of September, going northward, they arrived at the main southwest branch of the Kansas river, the Smoky Hill, and, two days later, a large branch of the Kansas river strongly impregnated with salt.

**19. Crosses Trail of Spanish Troops.**—It was at about this time that Pike discovered that he was not alone in Kansas. He came across the trail of 300 Spanish troops. The Spanish authorities in New Spain, hearing from St. Louis of his departure, had sent Lieut. Malgares with a large party to intercept him. Malgares had gone down Red river, thence north to the Arkansas, and so on to the Saline, but the parties had missed each other. Lieut. Pike was destined to meet Lieut. Malgares later.

**20. Pawnee Village.**—Pike’s party reached the Pawnee village on the 25th of September, 1806. The site of the village has been a matter of some discussion, but the latest investigation would locate it on portions of sections 2 and 3, township 2, range 5 west, in White Rock township, Republic county, Kan.

**21. “Stars and Stripes” Replaces Spanish Flag.**—The spot was made memorable. Pike had but sixteen white soldiers, his Osage allies he probably did not count for much, since he describes them as “a faithless set of poltroons, incapable of a great and generous action,” but with his little force he overawed the sullen and hostile village. He

met in council 500 Pawnee warriors. He found the Spanish flag flying from a pole in front of the council lodge, and he ordered it lowered, and the American flag raised in its place. It was done, and the Stars and Stripes for the first time was given to the Kansas breeze. Regardless of the temper of the Indians, he remained in the neighborhood until the 9th of October, when he marched off in the direction of the Great Bend of the Arkansas.

**22. Party Divided at Arkansas River.**—Arrived at the Arkansas, Pike divided his party. Boats were constructed, one canoe made of four buffalo hides and two elk skins, and a wooden canoe of green cottonwood, and in these Lient. Wilkinson, son of Gen. James Wilkinson (under whose orders Lient. Pike had set out), six soldiers and two Osages embarked with the intention of reaching Fort Adams on the Mississippi. The party were soon obliged to abandon their canoes and make their way on foot, suffering greatly from the cold. Lower down the river, they made some wooden boats, and, greatly hindered by sand bars and by floating ice, managed to reach Arkansas Post in safety by the 9th of January, 1807.

**23. Re-crosses Spanish Trail to Westward.**—Pike, with the remainder of his party, now stood on the low, bleak shore of the Arkansas, in the last of October, with snow falling every day. Why he did not march south to Red river, according to his instructions, has never been made clear; instead, he moved up the Arkansas, climbing the long slope to the Rocky Mountains. The country was full of wild horses; Indians were met frequently, and again the Spanish trail was crossed that Pike had encountered in Northern Kansas.

**24. Mexican Mountains Sighted.**—On the 15th of November, Pike saw something else. “At two o’clock in the afternoon,” he writes, “I thought I could distinguish a mountain to our right, which appeared like a small blue cloud; viewed it with a spy glass, and was still more confirmed in my conjecture, yet only communicated it to Dr.



Pike's Peak.

Robinson, who was in front of me, but in half an hour it appeared in full view before us. When our small party arrived on the hill, they, with one accord, gave three cheers for the Mexican Mountains.”

▷ **25. Pike's Peak.**—What Pike saw at first as a “small blue cloud,” was the Great White Mountain of the Spaniards, the majestic eminence afterward called, in his honor, Pike's Peak. He measured the altitude of the mountain,



making it 18,581 feet above the sea, and made efforts to reach the mountain itself, but without success. Afterwards he records, "In our wanderings in the mountains it was never out of our sight, except when we were in the valley."

**26. Pike Taken Prisoner.**—These "wanderings" entailed fearful suffering from cold on the thinly-clad soldiers and the animals. Pike reached the west fork of the Rio Grande del Norte and built a stockade, and here he was captured by a party of Spanish soldiers, as an intruder on Spanish territory. His instruments and papers were taken from him, and the command were marched as prisoners to Santa Fe, but were everywhere treated with kindness by the people. The escort, as it might be called, was commanded for some time by Lieutenant Malgares, who had sought for Pike in Kansas. The young American officer, treated more as an honored guest than a prisoner, was taken to Chihuahua, then a fine city of 60,000 inhabitants; thence he was taken to within three days' march of the American frontier and liberated, reaching Natchitoches, Louisiana, on the 15th of July, 1807, nearly a year after he left Bellefontaine.

**27. His Death—Toronto.**—After his return to his own country, he continued in the army, where his rise was rapid. In the thirty-fourth year of his age he was a brigadier-general in service on our Northern frontier, and we were at war with Great Britain. He planned and carried out an attack on York, now Toronto, Canada, on the 27th of April, 1813, and was fatally wounded at the moment of victory. At his request, the flag of the captured garrison was placed beneath his head, and the chronicler of the time wrote, "He happily expired on the conquered flag of the foe."

**28. Prominent in Kansas History.**—The name of Zebulon Montgomery Pike forms a part of the history of Kansas, and should be mentioned with honor, because he was the first intelligent American explorer of the interior of Kansas, and the first to raise the flag of the United States within its present borders, and the first to record observations of the Great Plains country of which Kansas is a part. His journal was published in this country in 1810, and an abridgement afterward published in London, and the story of natural Kansas was thus spread about the world.

**29. Papers Preserved at Larned.**—A few years since many of the papers of General Pike, including the precious scrap on which were written the last words he addressed to his wife, were still carefully preserved by his niece, the venerable Mrs. Sturdevant, of Larned, Kansas.

**30. Long's Expedition.**—The expedition of Pike was followed by that of Major Stephen H. Long, who, in 1819, ascended the Missouri in the first steamboat, the *Western Engineer*. Pike's narrative, however, continued to be for a long time the most complete account of the regions embraced in Kansas, Colorado and Northern Mexico.

#### SUMMARY.

1. Jefferson sent Lewis and Clark expedition across Territory.
2. Fourth of July, 1804, was celebrated at Atchison.
3. Pike's expedition crossed Territory in 1806.
4. Spanish soldiers had not yet been withdrawn.
5. Spanish flag was lowered and the Stars and Stripes raised at the Pawnee village. Supposed to be in what is now Republic county.
6. Pike's Peak was sighted at 2 o'clock, P. M., November 15, 1806.

## CHAPTER IV.

### THE GREAT HIGHWAY.

**31. Kansas Receives Eastern Boundary.**—By the organization of Missouri as a State of the Union, Kansas, which was before without form as part of Louisiana, received an eastern boundary. The west line of Missouri, as first established, followed a meridian line north and south drawn through the mouth of the Kansas river at Kansas City to the Iowa line. This line was really a line between white settlement and Indian occupation. The portion of Indian ground between the Missouri line and the Missouri river was ceded by the Sacs and Foxes in 1836, and became a part of the State of Missouri under the name of the Platte Purchase, and the Missouri river became the boundary, but Kansas remained Indian ground.



Kit Carson.

**32. Limitation of Settlement Theory.**—It seems to have been considered that the Missouri was the limit of possible white settlement. Pike had written of Kansas in his journal in 1806, "From these immense prairies may arise one great advantage to the United States, viz.: the restriction of our population to certain limits, and thereby a continuation of the Union. Our citizens being so prone to rambling and extending themselves on the frontiers, will, through necessity, be constrained to limit their extent on the West to the borders of the Missouri and Mississippi, while they leave the prairies, incapable of cultivation, to the wandering aborigines of the country."

**33. Prediction not Realized.**—The prediction of Pike was not destined to be realized; it was rendered impossible of accomplishment by the Louisiana Purchase. Under French or Spanish rule the ramblings of citizens on the frontiers might have been restricted, under American rule it was impossible that a great habitable and tillable area in the heart of the country should remain a wilderness devoted to wild beasts and wilder men. The signal to the buffalo and the savage to move on, was really given when the treaty of Paris, ceding Louisiana, was signed. Missouri continued to fill up with settlers, mainly from Virginia, Kentucky, Tennessee and North Carolina, and the settlers extended themselves toward the western border.

**34. Interest Aroused in New Mexico.**—Pike, in his narrative, had described the ancient city of Santa Fe, the oldest city in the present United States. He was the first not only to give intelligible account of Kansas, but of Colorado, New Mexico and the northern provinces of Mexico, then New Spain. Pike's relation aroused interest in those countries, and many individual attempts were made to open up commercial intercourse between the Missouri border and Santa Fe. These attempts generally resulted in disaster. The Spanish Government repressed all such, and desired no intercourse.

✓ **35. Effect of Mexican Revolution.**—The Mexican revolution, which began in 1811 and triumphed in 1821, broke down the non-intercourse rule, and in 1824 the first wagon train passed over the road from the Missouri to Santa Fe. There had been a Santa Fe trail before, but it had been made by caravans, small trains of pack animals, burros and mules, but with the passage of this wagon train came

the real Santa Fe trail, the first broad mark made by civilization across the face of Kansas. It was a great road, 700 miles long, of which 400 miles were in Kansas, a hard, smooth thoroughfare from sixty to 100 feet wide, it had not a bridge in its whole length, was the best natural road of its length ever known in the world, and in token that it had "come to stay," the broad-faced yellow sunflower, since chosen by Kansas people as the emblem of their State, sprang up on either side where the wheels had broken the soil, from end to end.

**36. Eastern Terminus of Santa Fe Trail.**—The eastern starting point of the Santa Fe traffic was, at first, Franklin, Mo., on the Missouri river, which years ago undermined and swept the town away. Later the seat of the trade was removed to Independence, Mo., which, as early as 1832, was recognized as the great outfitting point for the Santa Fe traders, and of the great fur companies. In time the business was divided with Westport, a newer town built on or near the line of Kansas. From the Missouri river landing for Westport has since grown Kansas City.

**37. Opening of Trail Through Kansas.**—After the laying out of this highway, Kansas was no longer a solitude. Kansas had been set apart for Indians, the Act of Congress of May 26, 1830, formally defined Kansas as part of the Indian Territory. The opening of the Santa Fe trail was like the dedication of a business street through a wilderness.

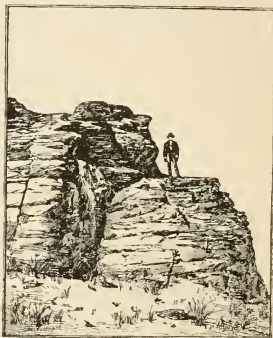
**38. Fires Gleam Nightly Along Road.**—A stream of human life was, as it were, set to flowing through the country. Trains going and coming in, over the long road, were seldom out of sight of each other, or of the gleam of the nightly fires. Millions of dollars' worth of property

were transported by the pack trains and wagon trains. An army of men was employed to drive and care for a host of animals. This army included, beside Americans, many Mexicans as teamsters and "packers," an art in which they stood unrivaled, and the dark features and soot-black hair of the "greaser" were made familiar from the Missouri to the mountains. The Spanish words incorporated in the English, as spoken in Kansas at this day, date back to the days of the Santa Fe trail.

**39. Route Branches at Great Bend.**—Taking the history of the Santa Fe trail as part of the history of Kansas, it furnishes a long and exciting chapter. Leaving the Missouri line, the trail led a little south of west to Council Grove, long a meeting place of whites and Indians, and then across the country to strike the Arkansas at the center of the arc of the Great Bend, where one road continued to follow the river into what is now Colorado, while at the Cimarron crossing a shorter road bore off to the southwest to the Cimarron river and to New Mexico.

**40. Pawnee Rock a Dangerous Point.**—The traveler who now follows the trail by railroad, reaches the once dark and bloody ground at the bend of the Arkansas, where is now the town of Great Bend; thence west every mile has witnessed conflicts between the Indians and the caravans of traders, or between different tribes of Indians. At Pawnee Rock station are seen the now scarcely visible remains of the Rock, once a landmark known from one end of the trail to the other, and considered one of the most dangerous points on the long and perilous road. The railroad bridge, says Inman, crosses the Pawnee Fork at the precise spot where the old trail did, and here was a favorite

battle ground between the tribes themselves, and the savages and all passers-by, the traders, the overland coaches, and every thing that attempted to ford the stream. On an island near Larned, according to Major Inman, the latest historian of the trail, occurred a savage battle between the Pawnees and Cheyennes, in which the latter were severely defeated, and so on through scenes of blood to where once was old Fort Aubrey. It may be said that the four hundred miles of the Santa Fe trail in Kansas, in the more than forty years that it was traversed by all classes of travelers, from the solitary horseman of story to marching armies, witnessed the display of all the great human qualities, patience, fortitude, and the most heroic courage, as contrasted with the darkest treachery and the most cowardly ferocity.



Pawnee Rock.

**41. Oregon Trail.**—The Santa Fe trail while, perhaps, the most important, was not the only great highway existing in Kansas before it was recognized as a white man's country. The Oregon trail was a great thoroughfare, leading to the valley of the Platte in Nebraska. There was the road made through what became the northern tier of Kansas counties to the crossing of the Blue at Marysville, by which a great emigration moved on to California. The river valleys, as





Caravan Attacked by Indians.

the Smoky Hill, served as road beds. It has been said that the valleys of the Kansas river and of the Arkansas were the first to be used as thoroughfares by civilized men in Kansas. But the great geographical truth was early discovered that Kansas was in the center of the great highway from the valleys of the Mississippi and Missouri to the Mountains and the Pacific.

**42. A Trail from the South.**—In the days of the California emigration a road, long visible after it ceased to be used, was that coming from Fayetteville, Ark., northward, and joining the Santa Fe trail at Turkey creek, in McPherson county.

**43. Dog Trail became "White Man's Road."**—The faintest trail made, and perhaps the earliest, was that by the Indian dog dragging lodge poles from place to place; then came the first "white man's road," the trace of the packers' loaded horses, mules, and burros; then the wide roads made by the traders' trains and the army wagons. All these left their mark in Kansas in the years while it was not an undiscovered country, but lying open and void, waiting for the rising of the Star of Empire.

### SUMMARY.

1. American rule permitted the settlement of the territory, which would not have been allowed by Spain.
2. The Santa Fe trail was a well-traveled, natural road, some sixty feet wide, and 700 miles long, lined on either side with sunflowers, and its main branch extending from Independence, Mo., directly across the territory to the Great Bend of the Arkansas; thence by two branches, one by way of the Rocky Mountains, the other directly to Santa Fe, N. M.

## CHAPTER V.

### THE INDIAN TERRITORY.

**44. Occupied by Four Tribes.**—The oldest authorities, Marquette and others, represent the country now called Kansas as occupied principally by four great tribes of Indians, the Osages, the Pawnees, the Kansas, and a tribe that no longer exists, and, in fact, has not been heard of since the first quarter of the 18th century, the Padoucas. These tribes seem to have claimed Kansas among them, and to have extended widely beyond its present limits. The story of their wars, and huntings, and migrations, has little interest to civilized people. When they moved away from Kansas and from the earth, they left nothing except mounds of earth, rings on the sod, fragments of pottery, rude weapons and ruder implements. They fought each other, disputed possession with the wild beasts, were stricken down with fell diseases, but their history never became of interest or importance to the world, because they did nothing for the world.

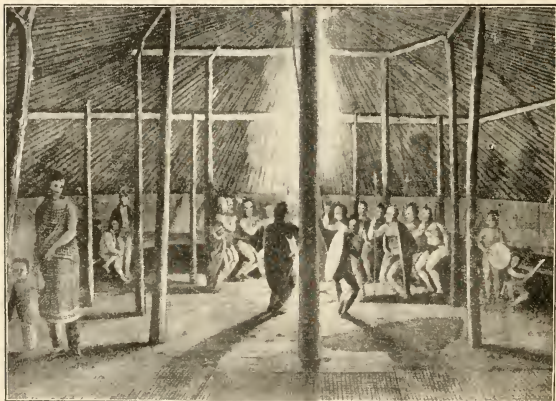


Typical Indian.

**45. The Removal Policy.**—As early as 1824, the United States Government had entered upon a policy of removing the Indian tribes west of the Mississippi, to a country which

should be their own, and where they should cultivate the habits of civilized life and live happily ever afterward.

The Osages ceded nearly all their land in Missouri in 1808, and were all located in Kansas by 1825, and the Shawnees removed to Kansas in the same year.



War Dance in the Interior of a Kanza Lodge.

The general removal of Indians to the West was determined by the Act of Congress of May 26, 1830, by which an Indian Territory, with the following metes and bounds, was organized: Beginning on the Red river east of the Mexican boundary, and as far west as the country is habitable, thence down the Red river eastwardly to Arkansas Territory; thence northwardly along the line of Arkansas Territory to the State of Missouri; thence north along its

westwardly line to the Missouri river; thence up the Missouri river to Puncah river; thence westwardly as far as country is habitable; thence southwardly to place of beginning. This gave a country 600 miles north and south approximately, and 200 miles east and west, as the country was not considered habitable over 200 miles west of the Missouri line, on account of the absence of timber.

**46. Indians Assured Permanent Homes.**—These limits included the present State of Kansas, and from the passage of this Act of May 26, 1830, for twenty-four years afterward, Kansas was a part of the Indian Territory. In this Act of 1830 the Indians were assured, in almost affectionate language, that these lands which were given in exchange for those they were already occupying, should be theirs forever, and that the United States would give them patents for them if they so desired.



Indian Peace Medals, 1837.

**47. Northern Part of Territory Occupied.**—In 1832 the Cherokees and other southern tribes, from Georgia and other States, were removed to the present Indian Territory, and the movement to fill the northern part of the Territory began. The Kansas Indians, whose name was later given to the State, once lived on the banks of the Missouri, where Lewis and Clark saw the remains of their villages, but they were driven westward to the Blue. Their former territory

was occupied by the immigrating Indians. In 1831 the Delawares came from the James Fork of White river, in Missouri, and occupied their afterwards famous reserve in Kansas. In 1836 the Ottawas removed from Ohio to their Kansas reservation, watered by the Marais des Cygnes. In



Col. Henry Leavenworth.

1842 the Wyandottes sold their lands in Ohio and removed to the forks of the Kansas and Missouri rivers. In 1837 the Pottawatomies began to gather in the Indian Territory, and in 1847 a tract of 576,000 acres lying in the present counties of Shawnee, Pottawatomie, Wabaunsee and Jackson was occupied by them. Here they were reinforced by Michigan Pottawatomies in 1850.

The years 1846 and 1847 saw the location of the Miamis of the Wabash valley, in the limits of the Kansas county that now bears their name. In 1836 the Sacs and Foxes removed from the Missouri to the Kansas side of the river. The year 1832 saw the removal of the Kickapoos from the Osage river in Missouri to the neighborhood of Fort Leavenworth. The Cherokees were granted lands in Kansas, but never occupied them in force. Several small tribes, the Weas and the Piankeshaws, the Iowas and the Muncies, the Peorias and the Kaskaskias, and a small band of Chippewas, were granted lands in Kansas.

**48. Forts Established.**—In consequence of the presence of the Indians, Fort Leavenworth was established as Cantonment Leavenworth, in 1827, by a detachment of the Third United States Infantry, and named in honor of Col.

Henry Leavenworth, of that regiment. Fort Scott was located in 1842, and named in 1843. Fort Riley, the third important post in Kansas, was not established till 1853, and was named for Gen. Bennett Riley, who guarded the Santa Fe trail and fought in Mexico.

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Baptist Mission, established in 1831. Here Meeker's printing press was first set up in 1833.

**49. Degrees of Tribal Civilization.**—In the days between 1830 and 1854, the principal figures in Kansas were the regular army officer, the Indian trader, and the missionary. All these had important business with the Indian, and seem to have been kind to him. In the Indian tribes residing in the Territory there were great differences in condition and character. The Wyandottes, the Shawnees, the Delawares, and the Ottawas were far advanced on the road to civilization; at least, that was the opinion of their



enthusiastic friends, the missionaries. The Pottawatomies had long been neighbors of the white people, and many bore French names and showed French blood. In Kansas they divided, those desiring to live as civilized



Rev. Maurice Gailland, S. J.

people settling about the Missions, those who preferred the old ways going apart as the Prairie band. Other tribes affected but a shabby civilization, which was readily dissolved and dissipated in whisky; many individual Indians remained, to the last, uncaring barbarians. But for all Kansas Indians the government farmer ploughed, the government blacksmith heated his forge, the missionary preached in English and Indian, and sang and prayed, and printed and taught.

**50. Pioneer Missionary Work.**—The first Catholic baptisms of Kansas Indians were administered by Father Charles La Croix, who had labored with the Missouri Osages, and who came to the Osages on the Neosho in Kansas, where the Presbyterians had already established their Harmony Mission, was given by them a room for a chapel, and baptized several Osage children. Later came to the Neosho the Rev. John Schoenmakers, with several other missionaries and Sisters of Loretto, and began what proved for him a lifetime of labor for the spiritual and temporal benefit of the Osages. Both these objects were sought at all missions,



Father John Schoenmakers.



Protestant and Catholic. At the Mission were, beside the chapel and the school, a saw mill and a grist mill. However little the Indian may have cared, the labor in his behalf was incessant. There is in the annals of Kansas no story of more utter devotion than that of Rev. Jotham Meeker, who was aided in all his labors by his wife. Mr. Meeker, called by the Indians, "He that speaks good words," labored first in Michigan with the Ottawas and Chippewas. He came to the Shawnees, in Indian Territory, 1833, and later went to the Ottawas, in Franklin county, Kan. He was a practical printer, and brought to Kansas the first printing press and type.



Rev. Jotham Meeker.

He printed the first book in Kansas, and published an Indian newspaper and many books in the Ottawa language. Mr. Meeker, largely assisted by one of his converts, Mr. J. T. "Tawa" Jones, gathered a church, a school, and opened a fine farm. After years of patient labor, Jotham Meeker died in 1854, and was followed in two years by his wife, and both rest where they fell in the cause of religion and civilization.

**51. St. Mary's Mission.**—While the Protestant missionaries established their centres, the Catholic missionaries established their principal headquarters at St. Mary's, on the Kansas river, and thence missionary priests visited the different tribes while they remained. In Doniphan county, Rev. Samuel M. Irvin began a Presbyterian Mission among the Iowas in 1837, erected substantial buildings, and wrote a grammar of the Iowa language. A daughter of Missionary Irvin is believed to have been the first white girl born in

Kansas, as a son of Missionary Thomas Johnson, Alexander S. Johnson, was the first white boy. With Mr. Irvin in the labor of the Mission was associated Rev. Wm. Hamilton.

**52. McCoy's Advanced Explorations.**—On the mis-



Isaac McCoy.

sionary roll of honor no name is to be written above that of Isaac McCoy. He began his work among the Miamis in Indiana, in 1817, continued it among the Pottawatomies near Fort Wayne, and followed that tribe to Michigan, where he also labored with Mr. Meeker and Dr. Lykins at the Ottawa Mission. Mr. McCoy was the effective advocate of the Act of 1830, for the removal of the Indians to

the West. He preceded the Indians to Kansas and explored and surveyed their reservations. He was known to all the tribes. He firmly believed in the possibility of the elevation of the Indian, and worked to that end to the close of his life, which came at Louisville, Ky., in 1846.

**53. Shawnee Mission School.**—The Wyandottes attracted the good offices of the Friends as long ago as the date of their treaty with William Penn, and among the religious teachers of these people, Henry Harvey was honorably distinguished both in Ohio and Kansas. Perhaps the most ambitious attempt at mission building in Kansas, in the pre-territorial period, was the erection, in 1839, of the Shawnee Mission Manual Labor School, two miles from Westport, Mo. This was the work of Rev. Thomas Johnson, who, with his wife, had



Mrs. Christina McCoy.

taught the Shawnees of the neighborhood since 1829. This Mission became famous as the meeting place of the first Territorial Legislature, Mr. Johnson himself being President of the first Territorial Council. The fine Kansas county of Johnson was named in his honor.



Rev. Thomas Johnson.

Francis Barker and Ira D. Blanchard, and Mrs. Webster and Miss Harriet H. Morse, and Rev. Moses Merrill and wife; the Hadleys, father and son; the Rev. E. T. Peery and Mrs. Peery; John G. Pratt, who was the printer of the Shawnees and the Delawares; and of Father Gailland, long at the head of the Mission at St. Mary's.



Mrs. Robert Simerwell.

**54. Indian Language Written.**—But there were many names which should be kept in honor—of Chapman and Vinall, and Robert Simerwell and his wife;



Robert Simerwell.

All these and many more labored for the Indians. They invented phonetic alphabets, they created written languages. Father Gailland wrote a Pottawatomie dictionary; Father Hoeken published a Pottawatomie prayer book; Father Ponzilione wrote an Osage prayer book.

The first church-going bell that ever sounded in Kansas was a Mission bell. It was brought to the Baptist Mission near the present Mount

Muncie Cemetery, Leavenworth, and hung in the fork of a tree.

### SUMMARY.

1. Kansas was originally occupied by four great tribes of Indians: the Osages, the Pawnees, the Kansas, and the Padoucas or Comanches.
2. The Government adopts the policy of removing the eastern and southern tribes to the Territory.
3. Fort Leavenworth was established 1827, Fort Scott 1842, and Fort Riley 1853, to afford protection to the frontier.
4. Missionaries aid in the advance of civilization by reducing the Indian languages to writing.
5. St. Mary's was founded by the Catholics, and Shawnee Mission by Protestants.



Implements and Ornaments of Kansas Aborigines.

## CHAPTER VI.

### THE KANSAS-NEBRASKA ACT.

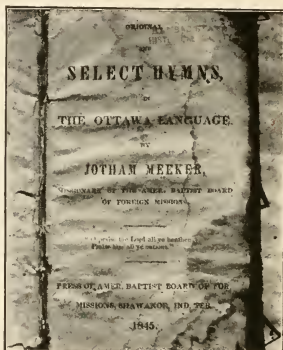
**55. Population Centres.**—At the opening of the year 1853, the white population of Kansas was, as it had been for twenty years, concentrated about the forts, trading posts, missions, and reservations, from the Missouri to Council Grove. The population of these centres ranged from ten upwards, the largest number probably being located in and around Uniontown, in what is now Shawnee county. The population was small, scattered, and uninterested in public affairs.

**56. Delegate not Received.**—There were, from 1852, occasional feeble attempts to induce action at Washington, and, in 1853, Abelard Guthrie was nominated as delegate in Congress by a convention at Wyandotte, while Rev. Thomas Johnson was put in nomination at the Kickapoo village. The latter was elected and went to Washington, but was not received.

**57. Douglas' Bill.**—The crisis came with the report, on January 24, 1854, from the Committee on Territories, by its chairman, Sénator Stephen A. Douglas, of Illinois, of an amended bill to organize the territories of Kansas and Nebraska, afterward to be known in history as the Kansas-Nebraska Act, though, at the time of its introduction, it was commonly called the Nebraska Bill.

The main feature of this long bill of thirty-eight sections, was, that it abrogated the agreement of the Missouri Com-

promise of 1820, prohibiting (as the price of the admission of Missouri as a Slave State) slavery north of the line  $36^{\circ} 30'$ , and, in place of prohibiting, left the question of slavery or no slavery to the people of the respective Territories when they should come to frame their State Constitutions. This bill was discussed in Congress for four months, and passed the Senate at four o'clock on the morning of March 4, 1854, and the House at midnight of May 22d, by a vote of 113 to 100, and was signed by President Franklin Pierce on the 30th of May—since chosen as Decoration Day with all its memories.



A Meeker Title Page.

**58. Opposition to Bill.**—The passage of the bill was fought at every step, and its triumph was received throughout the North with demonstrations of grief and anger, because a great number of American citizens, after the experiences of the Missouri Compromise of 1820, the Fugitive Slave Law, the Dred Scott decision, and the Compromise of 1850, did not believe that the bill meant an honest submission of the question of slavery to the *bona fide* settlers of Kansas, or meant anything except a determined purpose to force slavery upon Kansas, and upon every Territory of the United States.

**59. Author's Motive.**—Senator Douglas, himself a native of Vermont, and a Senator from the great Free State

of Illinois, disclaimed this as a purpose, and declared that his main desire was to take from Congress the decision of a local domestic question, and leave it to the people vitally interested. For himself he declared that he did not care whether slavery was voted up or voted down. If the purpose of the enactment was to quiet the agitation of the slavery question, it signally failed. The direct result of the introduction of the Kansas-Nebraska Act was to bring on a discussion more violent and widespread than had ever been before known in the country. As far as the conflict affected the Nation at large, the details belong to the general political history of the United States. The centre and most perilous spot in the field was soon transferred to Kansas Territory.

**60. Derivation of "Kansas."**—The Kansas-Nebraska Act defined the boundaries of the new Territory, and gave to it the name of Kansas. The spelling and definition of the word Kansas have been the cause of much discussion. Prof. Dunbar, formerly of Kansas, a most accomplished Indian linguist, states that the name of the Kansas river is derived from the Kansas Indian word *Kanza*, meaning "swift."

**61. Kansas Boundary.**—The following are the limits of the Territory as given in the act:

Beginning at a point on the western boundary of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on boundary to latitude thirty-eight north latitude, thence following said boundary westward to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude; thence east on said parallel to the western boundary

of the State of Missouri, thence south with the western boundary of said State to the place of beginning.

The south line was not made to conform with the line of the Missouri Compromise,  $36^{\circ} 30'$ , but was fixed at the thirty-seventh parallel, the boundary between the reservations of the Cherokees and the Osages. The fortieth parallel,



Catholic Church at Osage Mission, built in 1847.

the north line, was established in 1853, the meridian point being fixed at the Missouri river by Capt. Thomas J. Lee, United States Engineers, and the line westward surveyed by Mr. John P. Johnson, for many years, and until his death, an honored citizen of Highland, Doniphan county, Kan.



**62. Indian Land Opened to Settlers.**—For months prior to the passage of the Nebraska Act, the Government of the United States had been engaged in securing the cession of the lands of various Indian tribes in Kansas. The tract purchased of the Shawnees alone amounted to 1,600,000 acres.

On the passage of the Kansas-Nebraska Act the lands acquired by the Government became open to public settlement and hundreds of persons from Missouri crossed over and staked claims, some to remain as *bona fide* settlers, more to return at once to Missouri. These squatter claims became a sufficient source of difficulty among claimants, had there been no other.



Baptist Indian Mission, Shawnee County.  
Erected in 1848.

**63. Societies for Colonization.**—Taking the language of the Kansas-Nebraska Act to mean what it said, and “Popular Sovereignty” as a contemplated fact, both parties to the con-

troversy began to make preparation for the occupation of the disputed country. The border counties of Missouri rang with the note of preparation. “Defensive Associations,” “Squatters’ Associations,” “Blue Lodges,” and various secret and open societies were formed on the border for the purpose of occupying Kansas, and the repelling of invaders of the abolition variety, and on the other hand the Massachusetts Emigrant Aid Society procured its charter April 24, 1854, after the passage of the Kansas-Nebraska Act by the House, but before its passage by the

Senate. The Emigrant Aid Society of New York and Connecticut was chartered in July. A lengthy "report" issued in May, 1854, set out at great length the objects of the New England Society. One article urged the forwarding of saw mills, grist mills and other machinery to the new country. "At the same time it is desirable," said the report, "that there should be sent out a printing press, and a newspaper established. This would be the organ of the company's agents, and be from the start the index of that love of freedom and good morals, which it is hoped may characterize the State now to be formed."

**64. Invitation to Settlers.**—There is indeed a "real estate" flavor, which has lingered about descriptions of the country ever since, in the following article:

"It is to be remembered that all accounts agree that the region of Kansas is the most desirable part of America now open to the emigrant. It is accessible in five days' continuous travel from Boston. Its crops are very bountiful; its soil being well adapted to the staples of Virginia and Kentucky, and especially to the growth of hemp. In the eastern section the woodland and prairie land intermix in proportions very well adapted to the purpose of the settler. Its mineral resources, especially its coal, in the central and western parts, are inexhaustible. A steamboat is already plying on the Kansas river, and the Territory has an uninterrupted steamboat communication with New Orleans and all the tributaries of the Mississippi."

**65. Struggle Between North and South.**—The two emigration societies mentioned were not all; there was, beside, the Union Emigration Society organized in the city of Washington. The large associations organized auxiliary

societies throughout the North. The issue was joined. The border counties of Missouri stood for the South, far off and remote. Behind the Emigrant Aid societies stood the North, according to the lines of communication, nearer, in population and wealth vastly more powerful. The advocates of



Lawrence, Kan., 1855.

slavery had no issue except the establishment of human bondage in a new, an unwilling country, and apparently no conception of any means of accomplishing that end except by force. The result may have been doubted, but it was never doubtful. In the ears of those who marched to Kansas from the conquering North, sounded a watch-word which has always rung in men's ears like the note of a trumpet, or breathed as the voice of a siren, it was—"Freedom."

**66. Towns Founded.**—President Pierce signed the Kansas-Nebraska Act on the 30th of May, 1854. On the 13th of June the Leavenworth town company was organized at Weston, Mo. On the 17th of July, the first party of Free State emigrants left Boston and Worcester, arriving at the mouth of the Wakarusa eleven days later. The party numbered thirty, under the direction of Mr. Charles H. Branscomb. Two weeks later they were followed by a larger party under the direction of Dr. Charles Robinson and Samuel C. Pomeroy. The Atchison town company was formed in Missouri, July 27th. Events moved rapidly. In September the Lawrence Association was formed for the government of the new city. In the same month the first newspaper in Kansas, the *Herald*, was printed under a tree in Leavenworth. In September the first sale of lots occurred in Atchison. One Free State and two Pro-slavery towns started, and the battle begun. Topeka, an addition to the Free State strongholds, was founded December 5, 1854.

#### SUMMARY.

1. Rev. Thomas Johnson was elected, in 1853, delegate to Congress, but was not received.
2. The Kansas-Nebraska Bill was passed May 30, 1854.
3. Professor John B. Dunbar states that the word Kansas was derived from Kanza, which means "swift."
4. The Government secured large tracts of Indian lands. Settlers immediately began to move to the Territory.
5. Societies of the opposing parties were formed for the occupation of the Territory.
6. Among the events of 1854 were the founding of Leavenworth, Lawrence, Atchison, and Topeka.
7. The first newspaper was printed at Leavenworth.

## CHAPTER VII.

### THE BEGINNING OF GOVERNMENT.

**67. First Territorial Governor.**—Andrew H. Reeder, first Governor of the Territory of Kansas, arrived at Fort Leavenworth on the 7th of October, 1854. He was a Pennsylvania lawyer of high standing in his native county of Northampton, from whence he came to Kansas, and throughout the State, but had never held public office. He had always been a member of the Democratic party, and thoroughly indorsed the doctrine of the Kansas-Nebraska Act.

**68. Other Officers of Territory.**—The other appointed officers of the Territory arrived at intervals. The Secretary of the Territory, whose office was most important, since under the organic act he assumed in the Governor's absence all his powers and functions, was Daniel Woodson, of Virginia; the Chief Justice of the Territory was Samuel D. Lecompte, of Maryland; the Associate Justices, Saunders W. Johnson, of Ohio, and Rush Elmore of Alabama; United States Marshal, Israel B. Donalson of Illinois. Some of these names were destined to a lasting recollection in Kansas: one of them, that of Secretary Woodson, to a place on the map of Kansas. Notwithstanding the amount of explosive material lying about, Gov. Reeder received a



Gov. A. H. Reeder.

hearty welcome at Leavenworth, and his reception was quite as kindly at Lawrence, which he soon after visited. He took a tour of observation through the Territory to inform himself concerning its topography and population. He was urged to order an election of members of the Legislature, but took the ground that the common law, and the laws of the United States, extended over the Territory, and that there was no pressing need of legislation, and himself sat as a magistrate in the case of a man charged with attempt to kill, and bound the party over.

**69. Election of Delegate.**—On the 10th of November, Gov. Reeder issued his proclamation for an election for delegate to Congress on the 29th of the same month. This was the first election held in the Territory. The candidates were Gen. John W. Whitfield, Pro-slavery; R. P. Fleniken, Administration Democrat, and John A. Wakefield, Free State. On the day of the election, as was afterwards reported by an investigating committee, a large number of persons came over from Missouri and voted, but Gen. Whitfield received a legal plurality. As this would have happened, and he would have received a certificate of election without it, the invasion was a causeless and senseless outrage, which had no further effect than to inflame the North, in which the determination that Kansas should not be a slave State was daily growing more resolute.

The name which assumed the most prominence in the leadership of the Pro-slavery movement was that of David R. Atchison, a United States Senator from Missouri, President of the Senate and acting Vice-President of the United States

**70. First Census.**—In February, 1855, Gov. Reeder caused the first census of the Territory to be taken. It showed a population of 8,501 persons, and 2,905 voters.

**71. Fraudulent Voting.**—Governor Reeder divided the territory into districts, appointed judges of election and ordered an election for a Territorial Legislature to be held March 30, 1855. At the election of March 30th most of the voting places in the territory were occupied by armed men from Missouri. At Lawrence the invading force was estimated at 1,000 men, and they brought two pieces of artillery. This force being larger than was deemed necessary, squads were detached and sent to other voting places. The judges of election appointed by the Governor were driven from the polling places or resigned their offices. The census of the preceding month of February gave Kansas Territory 2,905 voters. At this March election 6,318 votes were cast, of which 1,410 were legal and 4,908 were fraudulent. The day after this election the actual facts were known all over the Territory; within the week, in every corner of the United States. The result was fuel to the roaring fire; every means which had been before used in the warfare against slavery was redoubled. The betrayed people who had gone to the Territory under the implied promise of the Kansas-Nebraska Act that the people of the Territories should be allowed to regulate their institutions in their own way, became throughout the Free States the objects of boundless sympathy; the story of the invasion of March 30th was told in song and story, and by artist's pencil, and still the Free State emigrants pressed into the Territory of Kansas.

**72. Governor Reeder's Action.**—Governor Reeder set aside the elections in certain districts for informality, and ordered an election to be held May 22d, to fill vacancies.

Governor Reeder had, according to his instructions, removed his office from Fort Leavenworth to the Shawnee Manual Labor School, two miles west of Westport, Mo.



Territorial Capitol, Shawnee, 1855.

He ordered the first Legislature of the Territory to convene at Pawnee, a town which had been laid out near Fort Riley. After his decision in regard to the elections, and his proclamation for the meeting of the Legislature, Governor Reeder went East to meet charges which the Proslavery leaders had made in asking his removal. At the election to fill vacancies in the Legislature, neither the Pro-



slavery voters in the Territory or in Missouri took part. The Free State voters alone participated.

**73. First Legislature.**—The members of the Legislature met at Pawnee on July 2, 1855. The Pawnee town company had erected a stone building for the use of the Legislature, which stood for many years afterward within sight of the Union Pacific railroad track. There was also a hotel and some other conveniences.

The Legislature came, went into camp, remained four days, unseated the Free State members, seated the members declared elected on the 30th of March, and passed a bill "to remove the capital temporarily to Shawnee Manual Labor School," which act was vetoed by the Governor and passed over his veto, and the Legislature adjourned.

On the re-assembling of the Legislature at the Shawnee Manual Labor School, Governor Reeder informed the body that it was in session where it had no right, in contravention of the Act of Congress, and that he could give no sanction to any act it might pass.

**74. Gov. Reeder Removed.**—The Legislature, in both branches, memorialized the President of the United States to remove Governor Reeder, and on the 31st of July his removal was officially announced, and on the 16th of August the Governor announced his removal to the Legislature, and so ended the term of the First Territorial Governor of Kansas. Governor Reeder was informed that he was removed for some irregular purchases of public lands. The departure of Governor Reeder made Secretary Woodson acting Governor. His signature is affixed to all the laws passed by what the Free State party called the "Bogus Legislature." This

Legislature adopted the body of Missouri statutes, but added thereto a series of "black laws" exceeding in ferocity



WM. BLAIR LORD.

JOHN UPTON.

HON. MORDECAI OLIVER.

HON. WM. A. HOWARD.

HON. JNO. SHERMAN.

Congressional Investigation Committee.\*

anything ever before known in the United States. Anti-slavery men were disqualified from holding office.

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\*Represents the members and two of the officers of the Kansas Congressional Investigating Committee of 1856. The committee was appointed under a resolution of the House of Representatives, passed March 19, 1856, with instructions to "Proceed to inquire into and collect evidence in regard to the troubles in Kansas generally, and particularly in regard to any fraud or force attempted or practiced in reference to any of the elections which had taken place in the Territory, etc."

**75. Capital Located.**—The Legislature organized a large number of counties, and provided that every officer in the Territory, executive and judicial, was to be appointed by the Legislature, or by some officer appointed by it. These appointments to hold until after the general election of 1857. No session was to be held in 1856. The Legislature fixed upon Leecompton as the Territorial seat of government.

**76. Topeka Government Organized.**—The reply of the unorganized Free State people of the Territory to the Pro-slavery Legislature was organization. Whenever there was a meeting, or a set of resolutions adopted—and there were many meetings, and many resolutions—the Shawnee Legislature was denounced as the offspring of fraud and force, and its enactments of no validity. The movement finally ended in what came to be known as the Topeka Government. Delegates to the Topeka Constitutional Convention were elected October 1, 1855. The Convention met on the 23d of October, completed the Topeka Constitution, the first constitution of Kansas, on the 11th of November. The constitution was submitted to a vote on the 15th of December. At Leavenworth the poll books were destroyed by a Pro-slavery mob, and also the office of a Free State newspaper. Outside of Leavenworth 1,731 votes were cast for the constitution, and 46 against it. The 4th of March, 1856, was set for an election of State officers under the Topeka Constitution.

The Topeka Constitution provided, "There shall be no slavery in this State, or involuntary servitude except for crime."

**77. Shannon, Second Governor.**—In September, 1855, Wilson Shannon, of Ohio, Second Territorial Governor of Kansas, appeared at Westport, Mo. Unlike Governor Reeder, Governor Shannon had been much in public life. He had been Governor of Ohio, United States Minister to Mexico, and Member of the House of Representatives, where he had voted for the Kansas-Nebraska Act.



Gov. Wilson Shannon.

**78. Election of Delegate Not Recognized.**—On the 1st of October there occurred an election for delegate in Congress. The Free State voters took no part in this election, and John W. Whitfield received 2,721 votes. On the 9th of October the Free State voters cast 2,849 votes for Andrew H. Reeder. Congress refused to seat either contestant.

**79. Mob Violence at Atchison.**—During the spring and summer of 1855 there was much disturbance. Many of the collisions were doubtless incited by private and personal enmity, but the outrages which created the most profound impression throughout the country were those committed for opinion's sake. Rev. Pardee Butler was seized at Atchison, in August, and sent down the river on a raft made of two logs, with many circumstances of injury and insult. Returning the following spring, he was stripped, tarred, and covered with cotton. He was a peaceable settler of the county, he had only expressed his opinion upon a question which, under the Kansas-Nebraska Act, was left to the determination of the lawful voters of the Territory. His story was told all through the North and roused a

determination of resistance. While Pardee Butler was going down the river on his raft, John Brown was moving along the road to Kansas with his rifle.

### SUMMARY.

1. Gov. Reeder and other territorial officers arrive.
2. First election for members of the Legislature takes place, attended by invasion, fraud, and violence.
3. First Legislature meets at Pawnee, and removes to the Shawnee Manual Labor School.
4. Gov. Reeder is succeeded by Gov. Shannon.
5. The first Constitution of Kansas was completed at Topeka, November 11, 1855, and provided, "there shall be no slavery in this State, or involuntary servitude except for crime."



Map of that portion of the Indian Territory West of the Mississippi,  
within the present bounds of Kansas.

## CHAPTER VIII.

### WAR AND RUMORS OF WAR.

**80. Contest Precipitated.**—Governor Shannon soon found that the office of Governor of Kansas Territory was not a bed of roses.

On the 21st of November, 1855, at Hickory Point, ten miles south of Lawrence, a Free State settler named Dow was killed by a Pro-slavery man named Coleman. Dow, whose body lay in the road for hours, was buried by his Free State friends, who, at his funeral, declared they would ferret out the murderer and his accomplices. That night, Coleman, the slayer, having fled, his cabin was burned down, and that of a friend of his named Buckley. This man, in common parlance, "swore his life against" Jacob Branson, a Free State man, a friend of Dow's. Sheriff Jones (who, though a resident of Westport, Mo., was, by appointment of the Territorial Legislature, Sheriff of Douglas county, Kan.), with a posse, took Branson into custody on the night of November 22. When the Sheriff's party had arrived near Blanton's Bridge, they were met by a party of Free State men, among whom Major J. B. Abbott and Samuel N. Wood were prominent, and the prisoner, with little show of violence, was taken from his captors.

**81. The Wakarusa War.**—Sheriff Jones rode to Franklin, a Pro-slavery outpost, dispatched a messenger to Missouri, and notified Governor Shannon that a rebellion had broken

out in the Territory, and that 3,000 men were required to suppress it. This was the beginning of the "Wakarusa War." The Governor ordered Generals Richardson and Strickler, of the Territorial militia, to march to Leecompton, and report to the Sheriff all the force they could collect. In the meantime, the Missouri border was stirred with appeals, and a large force was raised to organize another invasion.

A formidable Pro-slavery force collected at Franklin. Free State companies gathered from the vicinity, and joined the garrison of Lawrence. Sheriff Jones came into Lawrence, but failed to find the rescuers of Branson. Governor Shannon wearied of the Missourians who had arrived to assist the Sheriff, and besought them to disband and depart, and in the meantime called on Colonel Sumner, of the United States army, to bring troops. The Free State leaders succeeded in opening up communication with Governor Shannon, and as a final result the invaders in the interest of "law and order" started back to Missouri, the beleaguered garrison of Lawrence was relieved, and Governor Shannon affixed his signature to a treaty signed by Charles Robinson and James H. Lane, and a few evenings later met these gentlemen at an evening party given by the ladies of Lawrence, at which even Sheriff Jones was an invited guest.



Colonel E. V. Sumner.

82. **Thomas W. Barber a Martyr.**—But the "Wakarusa War" was not destined to end without bloodshed. Thomas W. Barber, a young man, who had been among the

defenders of Lawrence, was on his way home with two friends, when they were confronted by two horsemen, who detached themselves from another party, and Barber was killed. Murders had not been uncommon, but this excited unusual horror. The funeral of Barber was attended by every demonstration of respect, Charles Robinson and James H. Lane speaking beside the coffin.

Whittier afterwards wrote the "Burial of Barber:"

Not in vain a heart shall break,  
Not a tear for freedom's sake  
Fall unheeded; God is true.

The Kansas county of Barber commemorates his name.

**83. Whitfield Elected to Congress.**—In October, 1855, an election was held for delegate to Congress, in which Free State men did not participate, and General John W. Whitfield received 2,721 votes.

**84. Election of State Officers.**—On the 15th of January, 1856, occurred the election of State officers under the Topeka Constitution: Charles Robinson was chosen Governor; W. Y. Roberts, Lieutenant-Governor; P. C. Schuyler, Secretary of State; G. A. Cutler, Auditor; John A. Wakefield, Treasurer; H. Miles Moore, Attorney-General; M. Hunt, M. F. Conway, G. W. Smith, Supreme Judges; E. M. Thurston, Reporter of Supreme Court; S. B. Floyd, Clerk of Supreme Court; John Speer, Public Printer; Representative in Congress, M. W. Delahay.

**85. First Session of Topeka Legislature.**—On the 4th of March, 1856, was held the first session of the Topeka Legislature. Governor Robinson presented a message. James H. Lane and Andrew H. Reeder were chosen United



States Senators, and a memorial was prepared asking admission into the Union. The Legislature adjourned to meet on the 4th of July.

**86. Topeka Constitution in Congress.**—The Topeka Constitution was presented in the Senate of the United States, by Senator Lewis Cass, on March 24th, and in the House by Hon. Daniel Mace, of Indiana.

**87. Disbanding of Topeka Legislature.**—On the re-assembling of the Legislature at Topeka, on the 4th day of July, 1856, Colonel E. V. Sumner, U. S. A., appeared with five companies of United States dragoons and two pieces of artillery. Colonel Sumner entered the halls of the Senate and House, and told the members that the Legislature must disperse, and they obeyed. Colonel Sumner was accompanied by United States Marshal Donalson. Colonel Sumner acted under the orders of Acting-Governor Woodson, and Secretary of War, Jefferson Davis.

The Topeka Legislature re-assembled in January, 1857, when some of the officers and members were arrested by a Deputy United States Marshal, and taken to Tecumseh. The Legislature again met in January, 1858, and adjourned to Lawrence, and asked the Territorial Legislature, then in session, to substitute the State for the Territorial organization, which they refused to do.

On the 4th of March, 1858, the Legislature under the Topeka Constitution met, found itself without a quorum, and adjourned to meet no more. This was the end of the "Topeka movement."

On the 3d of July, 1856, the House of Representatives passed a bill for the admission of Kansas under the Topeka Constitution, by a vote of ninety-nine to ninety-seven. The

opposition of the Senate to any free Constitution was invincible.

**88. Treason Programme.**—The administration of President Pierce, and that of Kansas Territory, early took the position that adherence to the Topeka Government, or non-obedience to the Shawnee Missouri Legislature, constituted some form of treason and insurrection. The numberless troubles of 1856 had their origin in the attempts of the National and Territorial authorities to arrest, prosecute and punish Free State men for rebellion and high treason.

By May, the treason suppression programme was far advanced. Governor Robinson, Governor Reeder, and many others were indicted for high treason. Governor Reeder, who was in the Territory in attendance on the Congressional Investigating Committee, commonly called the "Howard Committee," refused arrest, and made his way to Kansas City, Mo., whence he escaped, in disguise, down the Missouri, on the deck of a steamboat.

Many persons were arrested, during May, at different points, refused bail by Judge Lecompte, and confined at Lecompton. Governor Robinson, while traveling with his wife, was arrested at Lexington, Mo., was brought back to Lecompton, and held a prisoner for four months.

**89. Events at Lawrence.**—By the 17th of May, 1856, a large armed force had collected in the vicinity of Lawrence. On the 21st of May, Sheriff Jones entered the town with armed followers, and by virtue of writs out of the First District Court of the United States for Kansas Territory, burned and battered down the Free State hotel, and destroyed the offices of the *Herald of Freedom*, and the *Kansas Free State* newspapers. Stores were broken open,

and robbed, and the residence of Charles Robinson was burned. The force employed was some 800 cavalry and infantry, with four pieces of cannon.

Conspicuous on this occasion, and in counseling and directing destruction, was General David R. Atchison, of Missouri. The cavalry was commanded by Colonel H. C. Titus, recently of Florida. A considerable part of the force consisted of South Carolinians, under the command of Major Buford. There was planted on the walls of the *Herald of Freedom* office, before its destruction, a blood red flag, bearing a lone star and the words "South Carolina and Southern Rights." The Government of the United States was directly represented, on this occasion, by Deputy United States Marshal Fain.

**90. John Brown Appears.**—Among the witnesses of these transactions of the 21st of May, was John Brown, his five sons, and a son-in-law. On the night of the 24th of May, on Pottawatomie creek, in Franklin county, James P. Doyle, his two sons: William Sherman, commonly called "Dutch Henry," and Allen Wilkinson, a member of the Shawnee Mission Legislature, were called out of their cabins and killed. John Brown led the party that did the deed.

After this, Brown captured, at Black Jack, Captain H. Clay Pate and twenty-eight of his party who had started out to capture Brown.

**91. A Reign of Violence.**—The Free State men attacked the Pro-slavery headquarters at Franklin, wounded several defenders, and took a considerable quantity of munitions of war. On the other side, a party of Missourians under General John W. Whitfield, plundered Osawatimie.

Early in August, the Free State men broke up a camp of Georgians near Osawatomie. On the 12th of August they made a second attack on Franklin, smoked out the block-house, and compelled the garrison to surrender. On the 16th of August, Captain Sam Walker, with the loss of one man, captured the fortified house, near Lecompton, of Colonel Titus, of Florida, and twenty prisoners. Prior to this, a Free State party had captured a Georgia headquarters on Washington creek, called "Fort Saunders."

The war never ceased in Linn county, and in August, in a fight at Middle creek, the Free State partisans, under Captains Anderson, Cline and Shore, routed a Pro-slavery detachment under Captain Jesse Davis. On the 30th of August, 400 men from Missouri, under General John W. Reid, attacked Osawatomie. The place was defended by forty-one men, under John Brown. In this action, Frederick Brown, a son of John Brown, was killed by Rev. Martin White. All the houses in Osawatomie save four were burned.

In Leavenworth, a Pro-slavery mob murdered William Phillips, a Free State lawyer, who had been tarred and feathered the year before, and a Vigilance Committee compelled Free State citizens to leave the city.

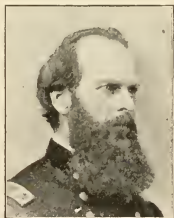
#### SUMMARY.

1. The border troubles.
2. Whitfield elected to Congress.
3. First session of Topeka Legislature, March 4, 1856.
4. The sacking of Lawrence, and acts of retaliation.
5. Action under the Topeka Constitution, and dispersal of the Topeka Legislature.
6. The treason arrests.
7. Free State citizens compelled to leave Leavenworth.

## CHAPTER IX.

### A GLIMPSE OF LIGHT.

92. **Release of Three State Prisoners.**—On the 5th of September, 1856, a force from Lawrence with two guns appeared at Lecompton on the heights about the town, and were met by Colonel Phillip St. George Cooke, with a detachment of United States troops, who demanded the errand of the approaching army. It was explained that the release of Free State prisoners, not the "treason prisoners" who were held by United States authorities, but all others, was demanded, and that the general protection of the Free State population from robbery and murder was the object of the demonstration. As a result of this interview an exchange of prisoners was effected.



Governor John W. Geary.

93. **Accession of Governor Geary.**—On the 21st of August, 1856, Governor Shannon received notice of his removal. On the 7th of September he met his successor at Glasgow, Mo., coming up the Missouri river, and on the 9th of September, John W. Geary, third Governor of Kansas Territory, arrived at Fort Leavenworth. He immediately reported to the President that he had to contend against "armed ruffians and brigands"; that the town of Leavenworth was in the hands of bodies of men,

who, calling themselves militia, perpetrated the most atrocious outrages under the shadow of authority from the Territorial government.

**94. The Hickory Point Fight.**—Governor Geary arrived at Leecompton on the 10th of September, 1856.



South Carolina Flag.

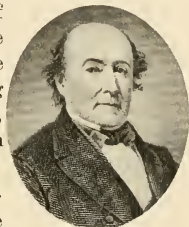
The next day, Captain Harvey, a Free State partisan, surprised a Pro-slavery force at Slough creek, in Jefferson county, and captured the blood-red South Carolina flag, which had been raised at the sacking of Lawrence in May, and which is now in possession of the Kan-

sas State Historical Society. Captain Harvey, two days after, captured Hickory Point, in Jefferson county. The 101 men under Harvey were taken prisoners by Colonel Cooke, U. S. A., who marched them to Leecompton, where they were held by Judge Cato for trial on the charge of murder in the first degree. Twenty of these were afterwards sentenced to five years in the penitentiary, though they never were incarcerated.

**95. Governor Geary's Action.**—Governor Geary's first act was to issue a proclamation disbanding the Territorial militia, and ordering all other armed men to quit the Territory. The Governor proceeded to Lawrence and found the town in arms in prospect of another invasion. He left United States troops there, and went to the junction of the Wakarusa and the Kansas rivers, where he found a force of 2,700 men from Missouri under the command of General

Atchison, General Reid, General Whitfield, Sheriff Jones, and others. This force he ordered to disband, and it disappeared.

**96. Treason Cases Abandoned.**—Prior to Governor Geary's arrival, the "treason prisoners" were released on bail by Judge Lecompte in the sum of \$5,000 each. Governor Robinson gave bail just four months from the day he was taken prisoner. Of the remaining prisoners, some were tried and acquitted, some escaped, and a *nolle* was entered in the cases of others.



Governor Robt. J. Walker.

**97. The Road Opened.**—The Missouri river had been for some time closed against Free State travel, and large parties of Free State immigrants had been entering the Territory via Iowa and Nebraska. In October, a party was arrested by Colonel Cooke and a Deputy United States Marshal. Governor Geary met the immigrants and ordered their release. Afterward, immigration was free.

**98. Governor Geary Retires.**—The Second Territorial Legislature met at Lecompton. Governor Geary vetoed some of the bills, which were passed over his veto. After continuous troubles with the Legislature, and being constantly threatened with personal violence, Governor Geary announced that he would be absent from Lecompton for awhile, left the Territory quietly and never returned. Many years after, in grateful remembrance of Governor Geary's course in Kansas, the name of Davis county was changed to Geary.

**99. Walker's Appointment.**—James Buchanan became President of the United States, March 4, 1857.

Shortly after the departure of Governor Geary, Robert J. Walker was appointed Governor of Kansas, March 26, 1857. He was preceded in the Territory by Frederick P. Stanton, Secretary of the Territory, who became Acting Governor. Governor Walker arrived in May. He commenced his labors to induce the entire mass of voters to participate in the election for delegates to the Lecompton Constitutional Convention, for which the late Legislature had provided. The Free State voters generally declined the invitation, and at the election in June, 1857, but 2,071 votes were cast for delegates.

#### SUMMARY.

1. Free State prisoners liberated.
2. John W. Geary appointed Governor.
3. Governor Geary disbands militia, and orders armed men to leave the Territory.
4. Treason prisoners released.
5. Immigration made free.
6. Governor Geary leaves the Territory.
7. Walker appointed Governor.
8. Governor Walker urges citizens to vote for delegates to the Lecompton Constitutional Convention, but the Free State people decline to do so.



## CHAPTER X.

### THE LECOMPTON AND LEAVENWORTH CONSTITUTIONAL CONVENTIONS.

**100. The Lecompton Convention.**—The Lecompton Constitutional Convention met and framed the second Constitution of Kansas between the 11th of September and the 3d of November, 1857. It was provided that the vote should be taken on the "Constitution without slavery," or the "Constitution with slavery," no vote being allowed against the Constitution. The vote, taken on the 21st of December, according to John Calhoun, President of the Lecompton Constitutional Convention, stood, "for the Constitution with slavery," 6,226; "for the Constitution without slavery," 569. At this election the Free State party did not vote, and an enormous fraudulent vote was cast.

**101. Territorial Election.**—In October, while the Lecompton Convention was in session, the regular election for members of the Territorial Legislature, and a delegate in Congress had taken place, and resulted in the election of a majority of Free State members of both branches of the Legislature, and of Marcus J. Parrott, Free State, as delegate. Oxford precinct, near the Missouri line, a precinct containing eleven houses, cast 1,628 Pro-slavery votes. Governor Walker and Secretary Stanton issued a proclamation rejecting the whole return from Oxford precinct. This settled the Free State character of the lawful returns.

**102. Special Session of the Legislature.**—On the 7th of December, the Legislature was called together in special session at Lecompton. A message was received from Secretary Stanton, Governor Walker having left the Territory, in which he urged the submission of the whole Constitution. But the chance of the Lecompton Constitution had passed away.



Governor Frederick P. Stanton.

**103. Second Submission.**—

Under an act of the special session, a vote was ordered, for or against the Constitution, on the 4th of January, the same day set for the election of State officers under the Lecompton Constitution. A portion of the Free State party supported a State ticket. The vote on the Constitution as declared

by Secretary and Acting Governor Denver, who had succeeded Mr. Stanton, was 10,288 against the Constitution to 138 for it. Marcus J. Parrott was elected Member of Congress, and, in spite of frauds, the Free State ticket received a small majority. The ticket was as follows: Governor, George W. Smith; Lieutenant-Governor, W. Y. Roberts; Secretary of State, P. C. Schuyler; Auditor, Joel K. Goodin; Treasurer, A. J. Mead.

**104. Third Territorial Legislature.**—The Free State officers chosen, immediately prepared a memorial to Congress, disavowing all intention to serve under the Lecompton Constitution, and urging that body not to admit Kansas into the Union under it. The third Territorial (and first

Free State) Legislature, met in regular session at Lecompton the 4th of January. 1858 organized, and on the 6th adjourned to Lawrence.

The Territorial Legislature remained in session at Lawrence for forty days. It passed bills to repeal the slave code, and to abolish slavery in the Territory, over the veto of Governor Denver, and an act to remove the Capital of the Territory to Minneola, Franklin county. It also provided for the election of delegates to meet in a Constitutional Convention.

**105. The Leavenworth Constitution.**—The Convention assembled at Minneola on March 23d, and adjourned to Leavenworth, re-assembling on the 25th. The Leavenworth Constitutional Convention adopted a Constitution which did not contain the word "white." The following ticket was nominated for State officers under the Leavenworth Constitution: Governor, Henry J. Adams; Lieutenant-Governor, Cyrus K. Holliday; Secretary of State, E. P. Bancroft; Treasurer, J. B. Wheeler; Auditor, George S. Hillyer; Attorney-General, Charles A. Foster; Superintendent of Public Instruction, J. M. Walden; Commissioner of School Lands, J. W. Robinson; Representative in Congress, M. F. Conway; Supreme Judges, William A. Phillips, Lorenzo Dow, and William McKay; Reporter of Supreme Court, Albert D. Richardson; Clerk of Supreme Court, W. F. M. Army. At the election of May 18th, the Leavenworth Constitution



Governor James W. Denver.

and the officers nominated received an aggregate of 3,000 votes. It was presented, but never voted on by either House of Congress.

Minneola, at which the Convention first assembled, did not remain the capital of Kansas Territory. The bill removing the capital thither was declared illegal by Jeremiah S. Black, Attorney-General of the United States.

**106. Failure of Lecompton Constitution.**—It was evident by the beginning of 1858, that slavery could never be established in Kansas with the consent of the people, yet, nevertheless, President Buchanan urged upon Congress the acceptance of the Lecompton Constitution, declaring that Kansas was "already a slave State, as much as Georgia or South Carolina." In this policy he was vigorously opposed by Senator Douglas. After much discussion the Lecompton Constitution was sent back to the Kansas people. The vote was taken August 2, 1858, under the propositions of the "English bill," and again the Constitution was repudiated by 11,812 to 1,926 votes.

#### SUMMARY.

1. Free State party refused to vote for delegates to the Lecompton Constitutional Convention.
2. Members of Territorial Legislature and delegate to Congress elected by Free State party.
3. After special session of the Legislature, the Lecompton Constitution was again submitted, and again defeated.
4. The Third Territorial Legislature prepared a memorial to Congress, and passed bills to abolish slavery.
5. The Leavenworth Constitution adopted, and State officers nominated.
6. The Lecompton Constitution submitted again in 1858, and for the last time defeated.

## CHAPTER XI.

### EVENTS OF 1858.

✓  
**107. Governors of 1858.**—James W. Denver, who succeeded Frederick P. Stanton (removed for calling the special session of the Territorial Legislature), served as Acting-Governor until the resignation of Governor Walker, in May, 1858, when he became Governor, with Hugh S. Walsh as Secretary. Governor Denver resigned in September, his resignation to take effect October 10, 1858. After his departure, Secretary Walsh acted as Governor until the arrival of Governor Samuel Medary, in December.



Governor Hugh S. Walsh.

**108. The Marais des Cygnes Massacre.**—On May 19, 1858, occurred near Trading Post, in Linn county, the tragedy known in Kansas annals as the Marais des Cygnes massacre. A party of twenty-five men from across the border, headed by Captain Charles Hamilton, collected eleven Free State settlers, stood them up in a line in a ravine and fired upon them. Five fell dead and all the others save one were badly wounded; the five wounded and one unwounded man feigned death and escaped. The murdered men were William Stilwell, Patrick Ross, William Colpetzer, Michael Robinson and John F. Campbell. The wounded were William Hairgrove, Asa

Hairgrove, B. L. Reed, Amos Hall and Asa Snyder; the unharmed man was Austin Hall. The place of the bloody deed is now marked by a public monument, and its memory will be forever preserved by the lines of Whittier, with their final prophecy:

LE MARAIS DU CYGNE.

“ A blush as of roses  
Where rose never grew!  
Great drops on the bunch  
grass,  
But not of the dew!  
A taint in the sweet air  
For wild bees to shun!  
A stain that shall never  
Bleach out in the sun!

“ Back, steed of the prairies!  
Sweet song-bird, fly back!  
Wheel hither, bald vulture!  
Gray wolf, call thy pack!  
The foul human vultures  
Have feasted and fled;  
The wolves of the border  
Have crept from the  
dead.

“ In the homes of their rear-  
ing,  
Yet warm with their lives,  
Ye wait the dead only,  
Poor children and wives!  
Put out the red forge fire,  
The smith shall not come;  
Unyoke the brown oxen,  
The plowman lies dumb.

“ Wind slow from the Swan’s  
Marsh,  
O dreary death-train,  
With pressed lips as bloodless  
As lips of the slain!  
Kiss down the young eyelids,  
Smooth down the gray hairs;  
Let tears quench the curses  
That burn thro’ your prayers.

“ From the hearths of their  
cabins,  
The fields of their corn,  
Unwarned and unweaponed,  
The victims were torn—  
By the whirlwind of murder  
Swooped up and swept on  
To the low, reedy fenlands,  
The Marsh of the Swan.

“ With a vain plea for mercy  
No stout knee was crooked;  
In the mouths of the rifles  
Right manly they looked.  
How paled the May sunshine,  
Green Marais du Cygne,  
When the death-smoke blew  
over  
Thy lonely ravine.

“Strong man of the prairies,  
Mourn bitter and wild!  
Wail, desolate woman!  
Weep, fatherless child!  
But the grain of God springs  
up  
From ashes beneath,  
And the crown of His harvest  
Is life out of death.

“Not in vain on the dial  
The shade moves along  
To point the great contrasts  
Of right and of wrong;

Free homes and free altars  
And fields of ripe food;  
The reeds of the Swan’s  
Marsh,  
Whose bloom is of blood.

“On the lintels of Kansas  
That blood shall not dry,  
Henceforth the Bad Angel  
Shall harmless go by!  
Henceforth to the sunset,  
Unchecked on her way,  
Shall liberty follow  
The march of the day.”

**109. Retribution.**—William Griffith, one of the murderers, was arrested in Platte county, Mo., in 1863; was tried, and convicted of murder at Mound City, Linn county, Kan. He was executed October 30, 1863. William Hairgrove, one of the survivors of the tragedy, acted as executioner.

**110. Fourth Territorial Legislature.**—Governor Medary’s position required him to pass in review the acts of the Fourth Territorial Legislature. That body met at LeCompton, and adjourned at once to Lawrence. It repealed the “Bogus Statutes” of 1855, which were afterwards burned in the streets; made provision for a Constitutional Convention and a State Government if the people decided for it at a preliminary election, and passed an act of amnesty for offenders in certain counties who had been fighting over political differences. Notwithstanding this peaceful measure, Captain James



Governor Samuel Medary.

Montgomery and his men continued the war with the Proslavery people in Linn and Bourbon counties, and Captain John Brown carried off a number of persons lawfully bound to servitude in Missouri, to freedom elsewhere.

### SUMMARY.

1. Political changes of 1858.
2. The Marais des Cygnes massacre.
3. Whittier's commemorative poem, "Le Marais du Cygne."
4. The Wyandotte Convention and Constitution provided for.



The Old Windmill at Lawrence.



## CHAPTER XII.

### THE WYANDOTTE CONSTITUTIONAL CONVENTION.

\* **111. The Convention.**—The vote on the proposition to hold a Constitutional Convention at Wyandotte was held March 28, 1859. The total vote was 6,731; 5,036 being cast "for a Constitution," and 1,425 "against a Constitution."

The election of delegates to the Convention occurred on the 7th of June, 1859.

The Convention which was to frame the Constitution under which Kansas was destined to enter the Union of the States, assembled at Wyandotte, July 5, 1859. It was composed of fifty-two delegates.

In the election of these, the old appellations of "Free State" and "Pro-slavery" were abandoned, and the elected delegates were classified as thirty-five Republicans and seventeen Democrats. It was the first Constitutional Convention in Kansas which contained members of both political parties. Historians of the Convention have recorded that few of the heretofore prominent leaders of political action in the Territory were present in the Convention, and that a large proportion of the members were young men. Many of the delegates were destined to distinction in the civil and military history of Kansas in the years to follow.

**112. Officers.**—The Convention was organized by the choice of Samuel A. Kingman, as temporary President, and

John A. Martin, as Secretary. A permanent organization was effected by the choice of James M. Winchell, as President; John A. Martin, as Secretary; J. L. Blanchard, Assistant Secretary; George F. Warren, Sergeant-at-Arms; J. M. Funk, Doorkeeper; Rev. Werter R. Davis, Chaplain; President *pro tem.*, Solon O. Thacher.

**113. The Model.**—The Constitution of the State of Ohio was adopted as a “model or basis of action.”

**114. Sixth Section.**—The Convention was for freedom. The Sixth Section of the Bill of Rights was made to read “There shall be no slavery in this State, and no involuntary servitude, except for crime, whereof the party shall have been duly convicted.”

A proviso to suspend this section, for one year after the admission of the State, was voted down, twenty-eight to eleven. This was the last suggestion made to allow slavery to exist in Kansas, for a day or an hour. Well said a member of the Convention, “the Constitution will commend itself to the good and true everywhere, because through every line and syllable there glows the generous sunshine of liberty.”



Samuel A. Kingman.

**115. Boundary and Capital.**—The Convention rejected a proposition to embrace, in the new State, a portion of Nebraska south of the Platte, and fixed the western line at the twenty-fifth meridian, cutting off the Territorial county of Arapahoe, which was afterwards embraced in the Territory and State of Colorado. Thus, the boundaries of Kansas were finally and permanently determined.

The temporary seat of Government was located at Topeka.

The Convention substantially completed its work in twenty-one days.

**116. The Constitution Adopted.**—On the 12th of September, 1859, James M. Winchell, President, and John A. Martin, Secretary, called an election on the Wyandotte Constitution, to ratify or reject it. The vote was taken on the 4th of October, 1859, and stood: for the Constitution, 10,421; against the Constitution, 5,530. The “homestead clause” was submitted separately, and received 8,788 votes, as against 4,772. So the free people of Kansas adopted the Wyandotte Constitution.

**117. Men of the Convention.**—The Wyandotte Constitutional Convention has maintained a high place in the regard of the people of Kansas, on account of the strong and steadfast character of its membership, and the solid quality of its work. Its labors were followed, inside



Solon O. Thacher.

of two years, by the admission of Kansas as a State, and by the outbreak of a war in which the existence of the State, and of the Union of the States had to be maintained. In the councils of the civil state, and in its armed defense, the members of the Wyandotte Convention bore a high and honorable part. In the organization of the State's first Supreme Court, Samuel A. Kingman served as an

Associate Justice, and after, as its Chief Justice. Benjamin F. Simpson was chosen the first Attorney-General of the State, and Samuel A. Stinson, another member, was elected to that office in 1861. Two of the framers of the Wyandotte Constitution, John J. Ingalls and Edmund G.

Ross, lived to serve Kansas in the Senate of the United States. John A. Martin, the youthful Secretary, was twice chosen Governor of the State. Two of the lawyers of the body, Solon O. Thacher and William C. McDowell, were chosen District Judges at the first election under the Constitution. These and many others served the State long and well in various places of responsibility, in the first and subsequent Legislatures, on the bench, and in other capacities. W. R. Griffith, the first State Superintendent of Public Instruction, was a member of the Convention.



Mrs. C. I. H. Nichols.

When "war's wild deadly blast was blown," the members of this Convention rallied to the standard. James G. Blunt entered the service at once and became a major-general. John P. Slough became a brigadier-general, and Simpson, Ross, Hipple, Martin, Ritchie, Burris, Nash, Werter R. Davis, and Middleton, officers and members of the Wyandotte Convention, entered the army as line and field officers of the Kansas regiments.

**118. Convention Stood for Law and Liberty.**—The Wyandotte Convention contained few of those who had prior to its assemblage been recognized and conspicuous leaders in controlling public opinion in the Territory, but it framed a Constitution that met the Kansas idea of the rights of man, the protection of the home, the establishment of justice. A Kansas woman, Mrs. C. I. H. Nichols, attended daily the sessions of the Convention, and counseled for those provisions that protect the sacred rights of

the wife, the mother, the woman citizen. The spirit of the Wyandotte Constitution has been preserved. None of the amendments added to it have weakened or restricted its original purpose. It remains, after forty years, the charter of liberty, and the basis of law in Kansas.

### SUMMARY.

1. The Wyandotte Constitutional Convention convened at Wyandotte, July 5, 1859.
2. The members of the Convention were for the first time from both political parties.
3. James M. Winchell was chosen President of the Convention.
4. The Constitution of Ohio was the model for the Constitution of Kansas.
5. The Sixth section stood for freedom.
6. The capital was located temporarily at Topeka.
7. The Constitution was accepted by the people October 4, 1859.



Golden medal presented in 1874 to Mrs. Mary A. Brown, widow of John Brown,  
by Victor Hugo and others.

## CHAPTER XIII.

### THE TRAGEDY OF JOHN BROWN.

**119. His Migration and Settlement.**—On the 2d of December, 1859, John Brown was executed at Charlestown, Va.

It was on the 23d of August, 1855, that John Brown, born at Torrington, Conn., May 9, 1800, a man then fifty-five years of age, started from Chicago, Ill., with a heavily loaded one-horse wagon for Kansas. He walked beside his wagon, shot game for food, passed through Rock Island, Illinois; Iowa, and Missouri, and reached a point on or near Pottawatomie creek, and eight miles from Osawatomie, Kansas Territory, on the 6th of October, 1855. He settled in the neighborhood of his sons, John Brown,



John Brown.

Jr., Salmon, Frederick, Jason, and Owen Brown, who had come to the Territory with their families early in the year. From the day of his arrival, his name became attached, for weal or woe, for glory or for shame, with that of Kansas. He was very generally known first as "Osawatomie Brown."

His first public appearance in the troubles of the Territory appears to have been at Lawrence during the "Wakarusa War," in December, 1855. That disturbance was ended by a

"treaty," as it was called, but "Osawatomie Brown" wanted no treaty, and counseled resistance. On the 21st of May, 1856, when occurred the "sacking of Lawrence," and the destruction of the Free State hotel, and the *Herald of Freedom* and *Free State* newspaper offices, John Brown, his sons, and a son-in-law, were in Lawrence and witnessed all that happened, and on the night of the 24th of May, five Pro-slavery settlers on Pottawatomie creek were killed. This was the "Pottawatomie Massacre," over John Brown's complicity in which there has been much controversy. John Brown, when asked by his son, Jason Brown, who was horrified by the deed, "Father, did you have anything to do with that bloody affair on the Pottawatomie?" said, "I approved it."

**120. John Brown in the Field.**—From this time forward, John Brown may be said to have taken and kept the field. He seldom joined himself with what may be called the masses of the Free State party. He did not aspire to the civil or military leadership of that party, but, with a small and chosen company, he kept the wood and prairie; attacking and attacked. A few days after the "Pottawatomie Massacre," Captain H. Clay Pate, a Deputy United States Marshal, with a posse, captured John Brown, Jr., and Jason Brown. They were turned over to the United States troops and marched to Leecompton, prisoners. On the road they were treated with such severity that John Brown, Jr., was driven insane. On the 2d of June, Captain John Brown, at Black Jack, captured Captain Pate and twenty-eight of his party, and held them prisoners till they were taken from him by United States troops, but treating them, as Captain Pate himself stated, with

humanity. On the 30th of August occurred the second attack on Osawatomie. John Brown, with forty-two men, unavailingly fought the assailants, the town was burned, and his son Frederick was shot down in the road.

**121. John Brown in Massachusetts.**—In February of the next year, 1857, John Brown appeared before a committee of the Massachusetts Legislature and told of the suffering in Kansas as he had seen it, the burnings, the robberies, the murders, the houseless people, the fire, smoke and desolation.

**122. John Brown in Missouri.**—After this Eastern visit he appeared again in Kansas, made a raid into Missouri, brought out fourteen slaves, and went away to the North with them. The Governor of Missouri offered \$3,000 reward for him, and the President of the United States \$250. An attempt made to capture Brown on his northward way at Holton, Kan., was a failure.

**123. The Parallels.**—In the early days of January, there appeared in a Kansas paper, the *Lawrence Republican*, a communication signed by Brown, and usually called "John Brown's Parallels." It was his farewell to Kansas. He recited his action in carrying off the slaves from Missouri, and contrasted it with the "Maraîs des Cygnes Massacre," which had happened in the May previous. When this article appeared, Brown had gone from Kansas. In March, 1859, he reached Canada with twelve fugitive slaves. The rest of his history belongs to that of the country and of the world.

**124. The Defense.**—One rainy Sunday night, at the Kennedy farm house, he said to his eighteen men: "Men, get on your arms, we will proceed to the Ferry," and so



they went. On the 1st of November, 1859, Captain Brown stood up in court at Charlestown, Virginia, to answer, if he might, why sentence of death should not be passed upon him, and he drew some further "parallels."

"I have another objection, and that is, that it is unjust that I should suffer such a penalty. Had I interfered in the manner in which I admit, and which I admit has been fairly proved (for I admire the truthfulness and candor of the greater portion of the witnesses who have testified in this case), had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends, either father, or mother, brother, sister, wife, or children, or any of that class, and suffered and sacrificed what I have in this interference, it would have been all right, and every man in this court would have deemed it an act worthy of reward rather than punishment.

"This court acknowledges, as I suppose, the validity of the law of God. I see a book kissed here which I suppose to be the Bible, or, at least, the New Testament. That teaches me that all things 'Whatsoever I would that men should do unto me, I should do even so to them.' It teaches me further, 'to remember them that are in bonds as bound with them.' I endeavored to act up to that instruction. I say, I am yet too young to understand that God is any respecter of persons. I believe that to have interfered as I have done, as I have always freely admitted I have done, in behalf of His despised poor, was not wrong, but right. Now, if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children, and with the blood of millions in this slave country, whose rights are

disregarded by wicked, cruel, and unjust enactments, I submit, so let it be done.”

**125. He Lives in the Hearts of Kansans.**—In Kansas, the name of John Brown is held in remembrance in many ways, both by the old who knew his face, and the young who have but heard his name. In 1877 a marble monument was reared to his name at Osawatomie, near the old field of fearful odds. In the collection of the State Historical Society are preserved the garments he wore, and some of the last lines he is known to have written. A Kansas poet, Eugene F. Ware, has written of him:

From boulevards,  
O'erlooking both Nyanzas,  
The statued bronze shall glitter in the sun,  
With rugged lettering:  
“John Brown, of Kansas;  
He dared begin;  
He lost,  
But losing, won.”

#### SUMMARY.

1. John Brown arrived in Kansas, October 6, 1855, a day memorable in the chronicles of freedom.
2. John Brown active in attack and defense at and near Osawatomie.
3. He pleads before a committee of the Massachusetts Legislature in behalf of the suffering of Kansas.
4. He took fourteen slaves from Missouri to the North.
5. In court at Charlestown, Va., he gave as his defense, “I believe that to have interfered as I have done, in behalf of the despised poor, was not wrong but right.”
6. His memory in Kansas.

## CHAPTER XIV.

### LAST OF TERRITORY AND FIRST OF STATE.

**126. Action of Congress.**—The people of Kansas had spoken, but the will of the people was not yet to be consummated. The admission of Kansas as a Free State was yet to be opposed in the Senate of the United States. On the 11th of April, 1860, the House passed the bill admitting Kansas under the Wyandotte Constitution. The bill went to the Senate and was there rejected. On the 21st of January, 1861, Jefferson Davis and other Southern Senators announced their withdrawal from the Senate of the United States. On the same day William H. Seward called up in the Senate the bill for the admission of Kansas and it was passed, 36 to 16. It was then returned to the House and passed out of the regular order, 117 to 42, and on the 29th of January, the Act was signed by James Buchanan, President of the United States, and that January day was thereafter "Kansas Day."

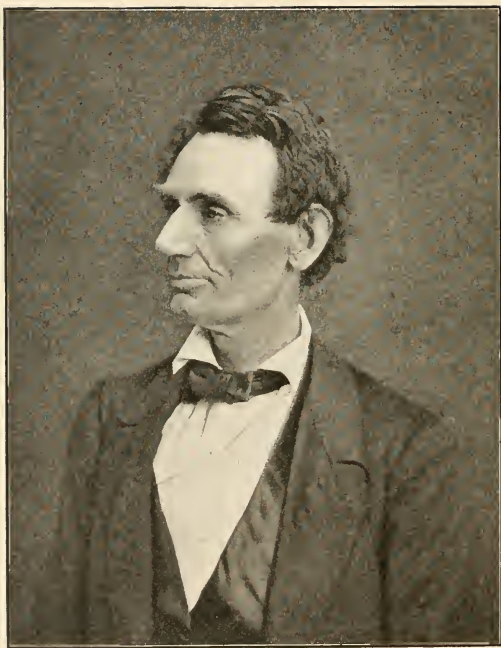
**127. Action of Legislature.**—The fifth and last Territorial Legislature of Kansas met at Lecompton on the 2d of January, 1860, and in spite of the protests of Governor Medary, adjourned to Lawrence. The Governor and Secretary remaining at Lecompton, the Legislature adjourned *sine die*. The Governor called the Legislature to meet in special session at Lecompton. The Legislature met and passed a bill adjourning to Lawrence; the Governor vetoed the bill and it was passed over his veto, and the Legislature assembled in

Lawrence. The Legislature passed a bill abolishing slavery in the Territory. Governor Medary vetoed the bill and wrote a long message. The bill was passed over his veto. This was the last. Governor Medary resigned in December, 1860, and was tendered a public dinner at Lawrence, in token of the appreciation felt for the dignity, firmness and impartiality with which he had performed his duties. George M. Beebe, Secretary of the Territory, became acting Governor, in which capacity he continued until the inauguration of the State Government, February 9, 1861.

**128. Territorial Governors.**—With Samuel Medary ended the succession of Kansas Territorial Governors. They had nearly all been in a way distinguished men prior to their appearance in Kansas. Andrew H. Reeder, before his appointment as Governor of Kansas, had never held office, but had been for years one of the most eminent lawyers in Pennsylvania. Wilson Shannon had been twice elected Governor of Ohio, and a Representative in Congress, and had served as American Minister to Mexico. John W. Geary was a business man and the youngest of the company, but had served in the war with Mexico. He became, after the Kansas days, a Major-General in the Union army and Governor of Pennsylvania. Robert J. Walker had been a United States Senator from Mississippi, and Secretary of the Treasury during President Polk's administration. During the Civil War Robert J. Walker was the devoted advocate of the Union, and negotiated the sale of \$250,000,000 of United States bonds abroad. James W. Denver had represented California in Congress, and had served as Commissioner of Indian affairs. Samuel Medary was an editor of national reputation, and had served as Commissioner of Indian affairs.

**129. Pony Express.**—In April, 1859, started from St. Joseph, Mo., and across Kansas, the first "Pony Express" for San Francisco, to span the gap which then existed between the Missouri river and the Pacific coast, when the settlers demanded better mail and express facilities. The plan was to carry the mail on horseback, and, as rapid time was required, relays were stationed every twenty-five miles, at which fresh horses and riders were kept. The mail carrier, mounted on a spirited Indian pony, would leave St. Joseph at break-neck speed for the first relay station, swing from his pony, vault into the saddle of another standing ready, and dash on toward the next station. At every third relay a fresh rider took the mail. Through rain and sunshine, night and day, over mountain and plain, the wild rider continued solitary and alone. The distance, 1,996 miles, was made in ten days. Then came the Wells & Fargo Express, next the Butterfield Overland Stage Company, and then the great railways.

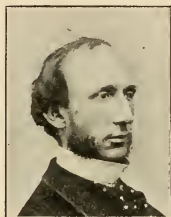
**130. Lincoln Heralds the New Star.**—The morning of the 30th of January, 1861, found Kansas a Free State of the Union. The first time the flag of the United States was raised over Independence Hall, with the added star of Kansas in the field, was on the 22d of February, 1861. In raising the flag, President-elect Lincoln said: "I am invited and called before you to participate in raising above Independence Hall the flag of our country with an additional star upon it. I wish to call your attention to the fact that, under the blessing of God, each additional star added to that flag has given additional prosperity and happiness to this country." The star of Kansas was raised above the



*Abraham Lincoln.*

birthplace of Independence, on the birthday of Washington, by the hands of Lincoln, the Emancipator.

**131. Election of Officers.**—On the 6th of December,



Martin F. Conway.

1859, an election had been held under the Wyandotte Constitution for State officers and a Representative in Congress and members of the Legislature. The following persons were elected: Governor, Charles Robinson; Lieutenant-Governor, Joseph P. Root; Secretary of State, John P. Robinson; Treasurer, William Tholen; Auditor, George S. Hillyer; Superintendent of Public Instruction, Wm. B. Griffiths; Chief Justice, Thomas Ewing, Jr.; Associate Justices, Samuel A. Kingman, Lawrence D. Bailey; Attorney-General, Benjamin F. Simpson; Representative in Congress, Martin F. Conway. The admission of Kansas as a State, under the Wyandotte Constitution, made these the first State officers. Governor Robinson was sworn into office on the 9th of February, 1861, and requested the Legislature to convene on the 26th of March.

**132. Drought of 1860.**—The year 1860 was a notable one for the nation and for Kansas. Aside from the political strife and anxiety, Kansas witnessed the coming of the direst natural calamity recorded in the country's history, ranking with the flood of '44. From the 19th of June, 1859, until November, 1860, over sixteen months, not a shower fell to soak the earth. Vegetation perished save the prairie grass, which during the early spring and midsummer flourished along the ravines and creeks, and even when dried up by the

hot winds, cured suddenly into hay and so afforded feed for cattle. It is estimated that in this awful time 30,000 emigrants left the country west of the Missouri, spreading the story of the disaster. In time, arrangements for systematic aid for Kansas were organized in the East. Kansas was divided into two aid districts, S. C. Pomeroy being placed in charge of Northern, and W. F. M. Army of Southern Kansas. The response from the great States of New York, Wisconsin, Indiana, Illinois, and Ohio was especially generous. More than 8,000,000 pounds of provisions and clothing, \$85,000 in money, and 2,500 bushels of seed wheat were received by the constituted "aid" authorities, and great amounts of "aid goods" were received from churches, societies and individuals.



W. F. M. Army.

**133. Shadow of Coming Events.**—It was with the shadow of great privation still hanging over the State that the new State Government began its existence. There had been civil strife; the steps of famine had followed, and now were heard in the near distance the mutterings of war, which was to wrap the Nation in smoke and flame.

#### SUMMARY.

1. The House passes a bill to admit Kansas under the Wyandotte Constitution.
2. The Senate, after rejecting the bill, passes it January 21, 1861.
3. President Buchanan signs the bill, January 29, 1861, which becomes "Kansas Day."
4. Coming of the drought of 1860.
5. Kansas on the verge of war.

Q

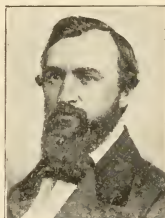


## CHAPTER XV.

### THE FIRST LEGISLATURE.

134. **Place of Meeting.**—The first State Legislature met at Topeka, the temporary capital designated by the Wyandotte Constitution, on the 26th of March, 1861.

The infant State possessed no buildings of its own, and the House assembled in the Ritchie Block, burned many years ago, which then stood on the southeast corner of Sixth and Kansas Avenues, and the Senate in the Gale Block, a short distance south. The inconveniences of a leaky roof forced an adjournment of the House to the Congregational Church, where it concluded its sessions. The Legislature organized with Lieutenant-Governor Root as President of Senate, and Hon. W. W. Updegraff as Speaker of the House.



Marcus J. Parrott.

135. **Election of U. S. Senators.**—On the 4th of April the Legislature elected the first two United States Senators from the State of Kansas. There was but one ballot, and there were many changes of votes. James H. Lane and Samuel C. Pomeroy were chosen. The final vote stood: James H. Lane, 55; Samuel C. Pomeroy, 52; Marcus J. Parrott, 49; Fred. P. Stanton, 21; Mark W. Delahay, 2; S. D. Houston, 1; S. A. Kingman, 3; A. J. Isaacks, 11; Martin F. Conway, 1.

**136. Legislative Acts.**—The Legislature remained in session until June. Its most important act was authorizing the issue of \$150,000 in bonds to meet the current expenses of the State. Its most interesting historical act was the adoption of the great seal of the State, for which many designs were offered. The most striking feature of the design chosen is the motto, *Ad Astra per Aspera*, with which every Kansas child is familiar, and which was the suggestion of Hon. John James Ingalls. But the main business of this first Legislature of Kansas was with war.



Seal of Kansas.

A company was formed of officers and members of the Legislature, which, during the recess, day after day, was drilled by a member who had attended a military school and knew something of tactics.

**137. Kansas Responds to Lincoln's Call.**—On the 15th of April President Lincoln issued his first call for 75,000 men.

On the 22nd of April the Legislature passed an act for the organization of the militia. Under the act, Governor

Robinson organized 180 companies, divided into two divisions, four brigades and eleven regiments. On the 17th of April, five days after the firing on Sumter, Captain Samuel Walker, of Lawrence, tendered Governor Robinson a company of one hundred men. Within a week seven military companies had been formed in Douglas county alone.

By the end of the month companies had been formed in nearly every county. In the latter days of May the organization of the First Kansas Volunteers was begun in Leavenworth. On the 3d of June, a party of volunteers from the First Kansas crossed the Missouri river from Leavenworth to Iatan, on the Missouri side, and captured a Confederate flag. In the affair three men were wounded. This was the first Kansas blood shed in the Civil War. The next day the Legislature adjourned.

**138. Topeka the Capital.**—The Legislature of 1861 provided for an election to be held on the 5th of November, 1861, to determine the location of the State capital. Topeka received 7,996 votes, Lawrence 5,291, all others 1,184, and Topeka was declared the capital.

#### SUMMARY.

1. The first Kansas Legislature met at Topeka, March 26, 1861.
2. James H. Lane and Samuel C. Pomeroy elected United States Senators.
3. Legislature issued bonds, adopted a seal and motto, and formed of its own members a military company.
4. Kansas volunteers are offered, and the militia is organized.
5. The State capital was located at Topeka, November 5, 1861.

## CHAPTER XVI.

### CRADLED IN WAR.

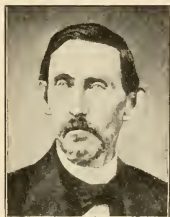
**139. Kansas Soldiers.**—The first year of Kansas as a State, found her “soul in arms, and eager for the fray.” It may be said that for the four years that succeeded the firing on Fort Sumter, the thought, the occupation, the experience of Kansas was war. Everything gave place to meeting the responsibilities, and enduring the anxieties, sufferings, and losses of war.

The United States census of 1860, gave Kansas 143,643 inhabitants, of whom 34,242 were in the vicinity of Pike’s Peak. This population was greatly diminished by the “drought of 1860.” The entire quota assigned to Kansas during the Civil War was 16,654 men, and the number raised was 20,097; thus Kansas furnished a surplus of 3,433 men. In proportion to the force furnished, Kansas lost, in killed, more soldiers per 1,000 than any other State in the Union.

There was never in the course of the struggle a man drafted in the State of Kansas, nor was there ever a bounty offered either by the State, or any city or county in the State. Troops were raised continually as called for from the first to the last. The First Kansas regiment was mustered June 3, 1861, the Seventeenth was mustered July 28, 1864.

**140. The “Frontier Guard.”**—The “Frontier Guard” was a body of men, who, for fifteen days, from April 18th

to May 3, 1861, before many troops had reached the city of Washington, guarded the White House and Mr. Lincoln. The "Guard" was commanded by General James H. Lane, and D. R. Anthony; Marcus J. Parrott, Sidney Clark, A.



Samuel W. Greer.

C. Wilder, Henry J. Adams, Mark W. Delahay, Samuel W. Greer, and many other Kansas men belonged to it.

#### 141. Volunteer Organizations.—

The volunteer organizations sworn into the service of the United States were: The First, Second, Eighth, Tenth, Twelfth, Thirteenth, and Seventeenth Infantry, and First and Second Colored Infantry.

The Second, Fifth, Sixth, Seventh, Ninth, Eleventh, Fourteenth, Fifteenth, and Sixteenth Cavalry. The First, Second, and Third Batteries, and Independent Colored Battery. In the course of the four years' war, these commands saw service over a wide area. The First Kansas took part in the siege of Vicksburg, and saw service in Louisiana. The Seventh Cavalry took part in the operations about Corinth, Miss., in western Tennessee and northern Mississippi. The Eighth Infantry fought at Perryville, Ky., Chickamauga, and Mission Ridge, marched east to Atlanta, and back again to Nashville, participated in the great battle of December, 1864, and saw its last active service in Texas. The Tenth Infantry took part in the battle of Nashville, the siege of Mobile, and the assault on Fort Blakely, and was mustered out at Montgomery, Ala. The Eleventh Cavalry carried its guidons to far Wyoming, 1,000 miles from Fort Leavenworth. The First Kansas Battery was ordered to Indiana to meet the famous "Morgan raid," and subse-

quently served with the armies of Tennessee and Mississippi. The detachment from the Second Kansas Cavalry, known as Hollister's and Hopkins' battery, served in Kentucky, Tennessee, and Mississippi, attached to the command of General Robert B. Mitchell of Kansas. The other commands as well as these did their work in Kansas, Missouri, Colorado, Arkansas, and the Indian Territory.

**142. The War in Kansas.**—Kansas was open to attack on the east, south, and on the west, where the Indians served as a perpetual menace. The soldiers of Kansas were called alternately to repel invasion, and to penetrate the fastnesses of the enemy. The war was waged in a wide and almost wilderness country; a country of mountains, defiles and tangled woods and canebrakes, traversed by countless streams, rapid and roaring, or deep, winding and sluggish; but, for the most part, without bridges or ferries. In the thousands of miles of marching the Kansas soldiers often saw not a rod of smooth and settled highway; they moved by trails—by traces, over the hills and far away across the prairies, guided by the sun, the distant and random gun, the smoke of combat or vengeful burning. They were far from the region of great and decisive battles, of strategic combinations and foreseen results. The columns came and went, making forced marches for days and nights together; fighting a battle and winning a dear bought victory, to return whence they came. They fought, and marched, and camped in a region that was neither North nor South, and so possessed a climate with the evil features of both. They met the blinding sleet and snow; were drenched with tropical rainstorms, and braved alike the blazing fury of the sun, and the bitter.

malice of the frost. Far from their bases of supplies; food and powder must be brought a long, toilsome and dangerous way, guarded at every step, fought for at every ford and pass. It was a hard and desperate warfare. For Kansas, the Civil War was but the continuation of the border troubles. The embers of that struggle had not been covered with the ashes of forgetfulness when they blazed again into direst flames. Along the border the war assumed the character of a vendetta; a war of revenge, and over all the wide field a war of combats; of ambushes and ambuscades, of swift advances and hurried retreats; of spies and scouts; of stealth, darkness and murder. All along the way men riding solitary were shot down; little companies killed by their camp fires; men fighting on both sides neither asking, giving, nor expecting mercy.

**143. Away from Home.**—The first regiment to leave



General George W. Deitzler.

the soil of Kansas was the First Kansas Infantry, under command of Colonel George W. Deitzler, which moved from Leavenworth to Kansas City, Mo., on the 13th of June, 1861. The Second, under Colonel Robert Mitchell, from Lawrence, followed, and later, both regiments became a brigade of the army of General Nathaniel Lyon, under command of Colonel Dietzler, and on the 10th of August, 1861, stood in battle array on "Bloody Hill," and fought out the battle of Wilson's Creek. The Second was the last regiment to leave the field. After the battle of Wilson's Creek, the First Kansas served in Missouri until the end of the year 1861. The Second returned to Kansas to be reorganized.

The field officers and several companies being assigned to the command of the Second Kansas Cavalry. During 1861, the Kansas regiments and batteries were rapidly filled.

**144. Additional Regiments.**—Shortly after the battle of Wilson's creek, it was reported that General Price had organized a column for a demonstration against Fort Scott. This increased the interest in the organization of the Third, Fourth, Fifth, Sixth and Seventh Kansas Regiments, of which, on the day of Wilson's creek, scarcely a battalion for each had been recruited. The companies in Southern Kansas were ordered to rendezvous at Fort Scott, and most of the companies in Northern Kansas were equipped at Fort Leavenworth. Many Union men from Missouri attempted, and some succeeded in reaching an asylum in Kansas. These enlisted in numbers in the forming Kansas regiments.



General Rob't B. Mitchell.

By the middle of August, what came to be known as Lane's Kansas Brigade, composed of the Third Kansas Infantry, Colonel Montgomery; the Fourth Kansas Infantry, Colonel Weer; the Fifth Cavalry, Colonel Hampton P. Johnson; the Sixth Cavalry, Colonel Wm. R. Judson; and the Seventh Cavalry, Colonel Chas. R. Jennison, numbered in all about 2,500 men. The brigade was generally collected at Fort Scott. To the brigade was attached the First Kansas Battery.

**145. General Price's Advance.**—On the 1st of September, General Price's Confederate advance, under General Rains, had reached Drywood, twelve miles east of Fort



Scott, and a scouting party came in and drove off a herd of United States mules, grazing within two miles of the post. This piece of audacity led to the advance of a Union force, under Colonels Jennison and Johnson, and a sharp skirmish at Drywood.

After this came various movements, including the withdrawal of the Union forces from Fort Scott in the direction of the Little Osage, and the throwing up of the work known as Fort Lincoln. In the midst of the preparations for defense came the intelligence that General Price had abandoned his proposed invasion of Kansas, and had marched in the direction of Lexington.

**146. Kansas Troops in Missouri.**—General Price accomplished his march to the Missouri, and forced the surrender of Colonel Mulligan and 2,500 men at Lexington. The Kansas brigade operated on the left flank of the enemy.



Colonel W. A. Phillips.

Colonel Judson broke up the Missouri marauders, who had invaded the neutral lands, and the brigade advanced into Missouri, fought at Morristown, where Colonel Hampton P. Johnson, of the Fifth Kansas Cavalry, was killed, and on the 23rd of September, attacked Osceola, where a quantity of supplies had been accumulated for General Price's army. These were burned, and also

Osceola. The Kansas Brigade moved to Kansas City, arriving on the 30th of September, and at Fort Scott on the 15th of November.

**147. Service of the Indians.**—In the early days of 1862, over 6,000 Indians in the Indian Territory, who

adhered to the Government of the United States, drew together and fought the Indians who had joined the Confederacy, and several regiments of Texas Cavalry. In the dead of winter, and in the midst of a driving snow-storm, the loyal Indians, with their aged chief, Hopoeithleyohola, fell back into Kansas. In their camps, on Fall River, they suffered greatly during the winter, but in the spring three mounted regiments were organized from these Indians. They were officered from Kansas regiments, many of the officers being from the Tenth Kansas, and later served in an Indian brigade commanded by Colonel William A. Phillips.

**148. Consolidation of Forces.**—In March, 1862, the Third Kansas Infantry and the Fourth Kansas Infantry, and a portion of the Fifth Kansas Cavalry, were consolidated at Paola as the Tenth Kansas Infantry. Colonel Montgomery, of the Third, was transferred to the Second South Carolina Regiment, and Colonel Weer, of the Fourth, assumed the command of the new organization. The numbers "Third" and "Fourth" do not again appear in Kansas military history.

In May, 1862, the First, Seventh and Eighth Kansas Regiments left Leavenworth for Corinth, Miss.

**149. Colored Soldiers.**—In November, the First Kansas colored regiment was organized at Fort Lincoln, near Fort Scott. Kansas now had soldiers white, red and black.

**150. Battle of Prairie Grove.**—On the 5th of December, 1862, General James G. Blunt "marched to the sound of the firing," joined his force to the already battling army



A. Carter Wilder.

of General Herron, and fought till the sun went down on the battle of Prairie Grove, Ark. On this field were gathered the largest number of Kansas troops, up to that time ever drawn together, there being represented the Sixth and Ninth, the Tenth and Eleventh and Thirteenth Regiments, and the Second Kansas Cavalry. The guns of three Kansas batteries, commanded by Smith, Tenney and Stockton, did excellent service.



Gov. Thomas Carney.

Within the year, Blunt defeated the enemy at Newtonia, Old Fort Wayne, and Cane Hill, and closed it with the capture of Van Buren.

**151. Second State Election.**—In November, 1862, occurred the second State election in Kansas. Thomas Carney was chosen Governor, with Thomas A. Osborn, Lieutenant-Governor; W. H. H. Lawrence, Secretary of State; Asa Hairgrove, Auditor; William Spriggs, State Treasurer; Warren W. Guthrie, Attorney General; Isaac T. Goodnow, Superintendent of Public Instruction; John H. Watson, Chief Justice of the Supreme Court; Lawrence D. Bailey, Associate Justice. A. Carter Wilder was elected Representative in Congress.



Judge L. D. Bailey.

### **152. Strife in Indian Territory.**—

In 1863, the Kansas fighting was transferred to the Indian Territory. Colonel William A. Phillips with his Indians, fought Colonel Coffey at Fort Gibson, which has been

changed to Fort Blunt. Colonel James M. Williams, with the First Kansas, colored, 800 strong, and 300 Indians, defeated General Stand Watie at Cabin creek.

### SUMMARY.

1. The census of 1860 gave Kansas 143,643 inhabitants.
2. Kansas furnished a surplus of 3,433 men during the Civil War.
3. Kansas lost more soldiers per 1,000 than any other State in the Union.
4. The First and Second Kansas fight at Wilson's Creek.
5. The "Kansas Brigade" campaigned in Missouri.
6. Indian and colored troops gave their services to Kansas.
7. Kansas troops fought at Prairie Grove, Ark.
8. Second State election, November, 1862. Thomas Carney the second Governor.



Monument of Maj. E. A. Ogden, Ft. Riley.

## CHAPTER XVII.

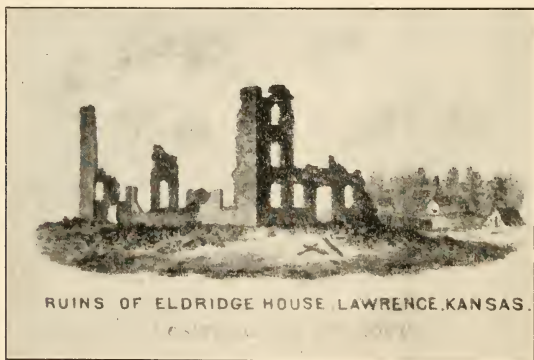
### QUANTRELL'S RAID.

**153. Kansas' Position.**—Kansas, during the war, was exposed to three species of invasion and calamity: first, to the hostile approach of the regular forces of the Confederacy; second, to the raids of Indians; and, third, to the attacks of guerillas, irregular troops, the scourge and curse of war. These predatory rangers, whose occupation was robbery, and whose pastime was murder, broke in many times. The places chosen were those without defences or garrison, where it was possible to plunder and kill with comparative safety. The most appalling of these disasters was Quantrell's raid on Lawrence, on the morning of the 21st of August, 1863.

**154. Records of the Event.**—The story of the Quantrell raid has been written many times. No dire event in Kansas history has been described with more painful care. Rev. Dr. Richard Cordley, still of Lawrence, whose congregation was filled with death, and who said the first hurried prayers over the thronged and crowded corpses, wrote one of the first accounts of the tragedy. Mr. Hovey A. Lowman, a journalist, wrote another. After many years, Dr. Cordley, in his "History of Lawrence," has retold the strange eventful story, and Mr. John Speer, who was a witness and a sufferer, two of his sons being murdered, has of recent years, in his "Life of James H. Lane," referred to the destruction, though shrinking from entering into the awful details.

**155. Attack a Surprise.**—Now aging people, who talk over the Quantrell raid, as they still do, have not ceased to

wonder at it, that a town which had served as a rendezvous for troops through the war, should, on that morning, have had at hand no single armed military organization for its defense, and that an attacking force of between 300 or 400 men



Eldridge House Ruins.

should have ridden through forty miles of settled country from the Missouri border, without a single messenger reaching the doomed place with word of warning. At one point a Federal force was passed by the guerillas, and their character made out, and word was sent to Kansas City, but not to Lawrence. It was five o'clock in the still, summer morning when drowsy Lawrence was wakened by vengeful yells, the crash of revolvers, and the pattering hoof of horses. There was no defence. There were no defenders. The soldiers in the town were but a small body of recruits who were in camp, but had not yet received arms. These were nearly destroyed

by what might be called a single volley. The militia company of the place had stored their arms in their armory, and could not reach each other or their arms.

**156. The Massacre.**—There was first the hurried murder of the charge, the guerillas firing on whoever they saw as they rode past, and afterward the deliberate and painstaking massacre, house by house, and man by man, which lasted for four hours. As is often the case in seasons of terror, as in shipwrecks, the women displayed the highest courage, struggling with their bare hands to save their houses from the flames, their sons and husbands from the swarming murderers. The town was robbed and burned, the black smoke rising in a great cloud in the still air. The Eldridge House, the successor of the old Free State Hotel, burned in 1856, was specially devoted to the flames. The safeguard given the guests and inmates of this hotel by Quantrell himself, was the one ray of mercy that illumined the darkness of the time. These were protected while he remained in the town. The guerillas, loaded with plunder, left unmolested. They avoided places that looked defensible, and a few Union soldiers on the north side of the river, firing across the stream, kept the neighborhood near the river bank cleared of enemies. There was no seeking for a combat. Those who were killed were non-combatants who died without an opportunity for defense. As the enemy drew off, General Lane and Lieutenant John K. Rankin gathered a handful of men, and pursued, but only sufficient in force to keep the enemy moving.

**157. Estimate of the Killed.**—To this day the count of the dead and wounded on that fatal day varies. Mr. Speer estimates that 183 men and boys were killed. Dr.

Cordley says: "The number killed can never be exactly known. As nearly as can be ascertained there were 142. This included the missing who never returned, two or three. A few of the wounded died later, and possibly some were killed who were never heard of. One hundred and fifty would not be far out of the way for the whole number. It is estimated that the raid made eighty widows and 250 orphans."

The inscription on the citizens' memorial monument, raised in 1895 in Oak Hill cemetery, reads: "Dedicated to the memory of the 150 citizens, who, defenceless, fell victims to the inhuman ferocity of border guerillas, led by the infamous Quantrell in his raid upon Lawrence, August 21, 1863."

**158. The Burial.**—Nearly a week was filled with the gathering up and burial of the dead. Fifty-three bodies were laid in one trench.

On the Sunday following the massacre, there was held in the old stone Congregational Church a service by the pastor, Rev. Dr. Cordley, and Rev. G. C. Morse of Emporia, whose brother-in-law, Judge Carpenter, was among the slain. There was no sermon, but instead there was read the Psalm: "Oh God, the heathen are come into their inheritance. They have laid Jerusalem in heaps. The dead bodies of thy servants have they given to be meat unto the fowls of the heaven, and the flesh of thy saints unto the beasts of the earth. Their blood have they shed like water round about Jerusalem, and there was none to bury them."

**159. Loss and Help.**—The aggregate of loss of property would be hard to reach. "As careful an estimate as could be made," says the early and late historian, "was about \$1,500,000." To the stricken city and its people, Kansas, though war scourged and poor, displayed



the utmost generosity, and help came from far as well as near.

**160. Massacre near Baxter Springs.**—On October 6, 1863, occurred the massacre of Blunt's staff, near Baxter Springs. General Blunt and his escort were attacked by 600 guerillas under Quantrell. Eighty of the party, with which were several civilians, were killed. General Blunt and fifteen men held off the foe and escaped. The guerillas attacked a small post near, called Fort Blair, but were beaten off with loss.



Gen. James G. Blunt.

**161. Battle of Pine Bluff.**—On the 25th of October, Colonel Powell Clayton, with the Fifth Kansas Cavalry and the First Indiana Cavalry, successfully defended Pine Bluff, Ark., against a superior Confederate force under General Marmaduke.

**162. Battle of Poison Springs.**—Kansas troops took part in the ill-fated Camden expedition under General Steele, and portions of the Sixth, Second and Fourteenth Kansas Cavalry and 500 men of the First Kansas, colored, with two howitzers of the Sixth Cavalry, were engaged at the battle of Poison Springs, Ark., and later in the severe fight at Jenkins Ferry, at the crossing of the Saline river.

#### SUMMARY.

1. Kansas endangered on all sides.
2. Quantrell's raid adds a dark chapter to the history.
3. The Kansas troops are engaged with varying fortune in Arkansas and the Indian Territory.

## CHAPTER XVIII.

### THE CLOSING SCENE.

**163. The Situation—Confederate.**—In 1864, in consequence of the failure of General Banks' Red river expedition, and of General Steele's Camden expedition, the Confederate situation in Louisiana, the Indian Territory and Arkansas became temporarily improved. The Confederate armies were strengthened in arms, clothing, and even artillery, by captures made in the campaigns mentioned. General Sterling Price was reported to have 10,000 veteran troops in a good state of equipment, and his ranks were nearly doubled, in numbers, at least, by a severe conscription in Arkansas.

**164. Union Situation.**—During the summer of 1864, the Union forces in Arkansas were principally concentrated in Little Rock and Fort Smith. In September, 1864, when the rumors of a move northward on the part of General Price began to thicken, the forces available for the defence of western Missouri and Kansas were scattered. General Curtis had taken the field against the Indians, and was operating from Fort Kearney, and General Blunt had assumed command of the district of Upper Arkansas, and was in pursuit of the Indians beyond Fort Larned.

Major-General Sykes, U. S. A., was in command at Lawrence of a small and scattered force of Kansas troops which was charged with the duty of keeping up communi-

cations and supplies with Forts Gibson and Smith, and the forces in southeastern Kansas, which lines were threatened by the enterprising General Gano.

**165. General Price Moves Northward.**—General Price crossed the Arkansas at Dardanelle, between Little Rock and Fort Smith. His army was divided into three divisions commanded by Generals Fagan, Marmaduke, and Shelby. Among the generals of brigade and colonels were nearly all the surviving officers who had fought west of the Mississippi and north of Louisiana from 1861 to 1864. The number of the Confederates at the crossing of the Arkansas was estimated at 18,000 men. As General Price's main body moved northward, the forces under General Gano, Colonel Brooks, Major Buck Brown; and the Cherokee, Stand Watie, manifested much activity as if to distract the attention of the Union commanders. After Price entered Missouri his force received large accessions.

*start*  
**166. Major Hopkins' Train Captured.**—Colonel Blair, at Fort Scott, received early dispatches from Colonel Wattles, of the Second Indian regiment at Fort Gibson, stating that Gano, Cooper, and Maxey were moving as if to cross the Arkansas, and that Price had 15,000 men. On the 12th of September the escort of a large supply train consisting of 610 cavalry and infantry, White and Indian, commanded by Major Henry Hopkins, was attacked at Cabin Creek, Cherokee Nation, by 2,500 of the enemy under General Gano, and the train captured and burned. It was a very serious loss.



Gen. Chas. W. Blair.

**167. General Ewing's Retreat.**—In the meantime, General Rosecrans, commanding at St. Louis, seemed uncertain as to the strength and direction of the enemy's movement. But there was no longer room for doubt after the 24th of September, and General Thomas Ewing pro-



General Thos. Ewing.

ceeded to Pilot Knob, where he was attacked, on the 27th of September, by Price's army. General Ewing made a steady defence, but finally blew up his magazine at Pilot Knob, and fell back, and from this point Kansas names begin to figure in the history.

The rear guard of the little column was placed under command of Major Williams of the Tenth Kansas. The pursuing column was checked from time to time, and at last General Ewing reached Rolla, where the infantry of his force remained in garrison, and the cavalry marched with General McNeil to Jefferson City. It is believed that General Ewing's resistance saved St. Louis.

**168. Concentration of Forces.**—On the 2d of October General Rosecrans reported to General Curtis that Price was moving westward, and the concentration of Kansas militia began at Olathe. A force of 6,000 men was collected at Jefferson City, of which 4,000 were cavalry, composing the Provisional Cavalry Division under General Alfred Pleasonton.

**169. Call for Volunteers.**—On the 8th of October, Governor Carney issued his proclamation calling out the "men of Kansas," and announcing Major-General Deitzler as commander-in-chief. This officer ordered the men to

rendezvous at Atchison, under Brigadier-General Byron Sherry; at Olathe, under Brigadier-General M. S. Grant; and at Paola under Brigadier-General S. N. Wood.

**170. The Response.**—The response of the “men of Kansas” was immediate. Says Adjutant-General Holliday in his report: “Never was appeal for help answered so promptly. In most instances, on the next day, or the second, after the receipt of the proclamation at regimental headquarters, the regiment itself in full force was on the march for the rendezvous.”

The whole number of Kansas militia who appeared for active service exceeded 16,000 men. Many of the officers serving in the militia had seen service in the volunteers. The Twenty-third Regiment, 550 men, raised in Wyandotte, chose as its commander, the veteran, Colonel William Weer.

**171. Battle of Lexington.**—On the receipt of the news that Price had passed Jefferson City, and occupied Lexington, General Blunt relieved General Sykes at Olathe. On the 16th of October, 1864, General Blunt moved to Lexington with two brigades of cavalry. General Blunt, early on his arrival, inspected the position with his aides, Hon. James H. Lane and Lieutenant-Colonel Burris. On the approach of Price's advance the fight was opened by a portion of the Fifteenth Kansas under Lieutenant-Colonel Hoyt. As the column fell back before the overwhelming mass of the enemy, the movement was covered by the Eleventh Kansas Cavalry, Colonel Moonlight, with four howitzers, the Third Wisconsin Cavalry battalion, and Companies A and D of the Sixteenth Kansas; a company of Missouri enrolled militia under Captain Grover, and a small body of Kansas State militia. As the little column

was flanked by the enemy it would fall back and form another line, thus keeping up a fight for six miles, 2,000 against 28,000. In the darkness the command fell back toward Independence, bivouacking a few miles from the Little Blue. At sunrise, Colonel Moonlight was left to defend the bridge at the Little Blue while possible, and the balance of the division fell back on Independence.

**172. Battle of the Little Blue.**—In the morning began the battle of the Little Blue. There were ready Colonel Moonlight with 600 men and four mountain howitzers, and then came Colonel James H. Ford (for whom the Kansas Ford county is named), and the Second Colorado Cavalry, under Major Nelson H. Smith (destined to die that day, and to give his name to Smith county), and Lieutenant-Colonel Sam Walker, the old "Border Troubles" fighter, and the Colorado Battery, Captain McLain, and then came up the Fourth, Twelfth, and Nineteenth Kansas militia regiments, and then it was fire the bridge, and fall back slowly and fight the enemy, who came swarming through the shallow stream. After this hard work, General Blunt came on the field and formed a new line, which did not contain over 2,500 men. Then there was fighting, eight hours of it in all, and our little army was back at Independence. There were 600 men to begin, and 2,500 to close, and a loss of about 200.

**173. Battle of the Big Blue.**—The entire force under General Curtis rested on the west bank of the Big Blue, on the road leading from Independence to Kansas City, on the night of October 21, 1864. The transportation was sent back to Kansas City, where, and at Wyandotte, guns were fired during the night to warn the militia. Among the

troops on the Blue was the Sixth Kansas State militia, commanded by Colonel James Montgomery, who, during much of the war, had been away on the Atlantic Coast and in Florida commanding a colored regiment. Before all who camped that night along the winding stream, there lay a troubled day.

The Big Blue may be crossed only at fords, and the battle of the 21st consisted largely of the attack and defence of these fords. The point that became most famous during the day was Byrom's ford. Here the enemy, after a heavy fight, succeeded in crossing, and the Union forces were crowded back toward



Colonel James Montgomery.

Westport, but in turn the Confederates were themselves pressed back. At sundown General Joe Shelby had retired to the line of the Blue and the Union troops to Westport.

The tragedy of the day was the overwhelming of the Second Kansas State Militia, Colonel Veale, supporting a single gun at the Mocabee farm. The desperate fight around the gun resulted in a loss to the battalion of thirty killed, fifty wounded and 102 captured.

The command was from Shawnee county. The dead, at the close of the war, were interred in the city cemetery at Topeka, and a stately monument has been reared to mark their resting place by their comrade, G. G. Gage.

**174. Movements Before Westport.**—At 4 o'clock on Saturday evening, the 22d, the left and centre of the Union army fell back to Kansas City and were placed in the intrenchments there. General Curtis faced the foe with his volunteers in Westport and his militia in Kansas City. The

Confederate line ran along the Blue from Byrom's ford to beyond Russell's ford.

General Pleasonton, spoken of before as being at Jefferson City with the Provisional Division of Cavalry, had followed after Price's army, and, attacking the enemy's rear division, had occupied Independence. Three brigades, Sanborn's, Brown's and Winslow's were on the road to Byrom's ford; McNeil with another brigade was moving toward Hickman's mill, and, beside, 10,000 infantry under Major-General A. J. Smith were moving from Lexington to Independence.

**175. Battle of Westport.**—At five o'clock on the fateful Sunday morning, the brigade of Colonel Blair, consisting of the Fourth, Fifth, Sixth, Tenth and Nineteenth Kansas State Militia, moved out of the intrenchments with the Ninth Wisconsin Battery and the Kansas Colored Battery. The First, Third and Fourth Brigades, under Colonels Jennison, Moonlight and Ford were already moving. Soon the battle was resumed. There were charges and countercharges; hand to hand combats in some instances. Fights stubborn behind the stone walls, and fights rapid to carry them. The artillery everywhere firing from every point of vantage, the guns sometimes in danger and saved by a rush, and finally a general movement forward. Eighteen



Colonel Thos. Moonlight.

brass Parrott guns and thirteen howitzers opened at once on the lines of the enemy, who were falling back bravely and steadily. There was great cheering; the militia came pouring into the field and the open prairie was reached, when a heavy column of cavalry emerged from the timber



and deployed about a mile to the east, and Pleasonton charged.

**176. Retreat of General Price.**—The movement of General Price's army southward had begun before this last collision, and by sunrise on the 24th the rear had moved eight or ten miles to the south of Westport, and that day a column of 10,000 men was moving in pursuit through the border of Missouri. While this movement was effected, Colonel Moonlight, with another division, moved southward along the Kansas border, interposing, as far as possible, between the enemy and the State, through a country absolutely desolated by war. For fifty miles not an inhabitant was to be seen.

**177. Battle of Mine Creek.**—The retreating army, however, crowded into Kansas near West Point, still moving southward. The pursuit became closer, there were combats at the Trading Post ford and at the Mounds, and on the 25th of October the decisive battle of Mine Creek was fought on Kansas soil, where 800 prisoners and nine guns were captured, and many officers of high rank, including Generals Marmaduke and Cabell, fell into our hands, while General Graham was killed and General Slemmons was mortally wounded.

**178. Defeat of Price at Newtonia.**—From the fields of Mine Creek and the Little Osage, the enemy was pressed with such vigor as to force him to abandon the intention of attacking Fort Scott, which was instead occupied by our rescuing force, and he was followed back into Missouri and finally defeated at Newtonia, where the prisoners of the Second Kansas Militia, taken by the enemy at the Little Blue, were paroled and rejoined their friends.

**179. Farewell of General Curtis.**—From the headquarters of the Army of the Border, Camp Arkansas, on the 8th of November, 1864, General Curtis issued his congratulatory order, saying: "In parting, the General tenders his thanks to the officers and soldiers for their generous support and prompt obedience to orders, and to his staff for their unceasing efforts to share the toil incident to the campaign. The pursuit of Price in 1864, and the battles of Lexington, Little Blue, Big Blue, Westport, Marais des Cygnes, Osage, Charlot, and Newtonia, will be borne on the banners of the regiments who shared in them; and the States of Missouri, Iowa, Kansas, Colorado, Illinois, Indiana, Wisconsin, and Arkansas, may glory in the achievement of their sons in this short but eventful campaign."



Governor Samuel J. Crawford.

On the 9th of November, 1864, the day following the issuance of this order, General Curtis moved toward Fort Scott by way of Fort Gibson, and General Blunt moved to Fort Smith and thence to Fort Leavenworth. The official and authentic history of the part taken by the Kansas volunteers and militia in this campaign is contained in the report of Adjutant-General C. K. Holliday, published in December, 1864.

**180. Election 1864.**—November 8, 1864, occurred the general election in Kansas, resulting in the choice of Samuel J. Crawford, Governor; James McGrew, Lieutenant-Governor; R. A. Barker, Secretary of State; J. R. Swallow, Auditor of State; William Spriggs, State Treasurer; J. D. Brunbaugh, Attorney-General; Jacob Safford, Associate

Justice. Sidney Clark was elected Representative in Congress. Abraham Lincoln received the first vote of Kansas for President of the United States.

## SUMMARY.

1. Outlook dark for Kansas and Missouri defence.
  2. General Price, advancing northward with 18,000 men, gathers recruits.
  3. General Gano captures Major Hopkins' train at Cabin creek.
  4. General Ewing falls back, disputing the way with the enemy, and saves St. Louis.
  5. The men of Kansas respond to the call of Governor Carney, and 16,000 take the field.
  6. Stubborn fighting at Lexington, Little Blue, Big Blue, and Westport, ends in victory.
  7. A long pursuit of Price's army, and battles at Mine Creek, Osage, and Newtonia.
  8. General Curtis congratulates the Kansas soldiers.
  9. Second State election; Samuel J. Crawford elected Governor.
- end*

## CHAPTER XIX.

### PEACE AND HONOR.

**181. Advent of Peace.**—With the closing of the “Price raid” campaign, ended, generally, the fighting days of the Kansas regiments, although the Eighth Infantry fought at Nashville, in December, and the Eleventh Cavalry had an encounter with the Indians at Red Buttes, Dak., as late as the 26th of March, 1865.

Then came the home-coming of the Kansas regiments and batteries, and on the 8th of April, 1865, at Leavenworth, was held a great jubilee over the Union victories and the end of the war.

**182. Kansas Officers Commissioned.**—The following general officers from Kansas were commissioned by President Lincoln during the war:

Major-General James G. Blunt, Brigadier-Generals Robert B. Mitchell, Albert L. Lee, George W. Deitzler, Thomas Ewing, Jr., Powell Clayton.

The Kansas officers made Brigadier-Generals by brevet were: Wm. R. Judson, Thomas Moonlight, Charles W. Blair, James Ketner, John Ritchie, John A. Martin, Edward F. Schneider, Charles W. Adams and Thomas M. Bowen.

**183. Colonel Cloud Honored.**—When, in 1865, it came to the choice, by Governor Crawford, of officers of the State militia, there was an abundance of military talent and experience to choose from. Colonel William F. Cloud was

commissioned as Major-General. He had seen service as Major and Colonel of the Second Kansas Cavalry, and then as Colonel of the Tenth Kansas Infantry, and last had gone through the "Price raid" campaign, on the staff. His civil and military record is remembered in the name of a Kansas county.

**184. State Historical Society.**—The record of the two wars in which Kansas was so early in her history engaged, the warfare forced on her people to make the State free, and the war for the preservation of the Union, has been well kept. Through the exertions of the State Historical Society, which has known through nearly all its history but one secretary, Judge Franklin G. Adams, there has been gathered a great store of public reports and private letters; the annals of the war; journals written up by soldiers by the camp-fire's light, and amid the echoes of battle; here may be seen gathered the "bruised arms" used in many a savage fray. In these collections is illustrated all the story of Kansas from the earliest time; here are the rude implements and weapons of the Indians; the stained and worn manuscript journal of the missionary, who strove to save the Indian from his fate; the maps and charts of the early explorers; the account books of the fur traders; the evidences of the first hard life of the pioneers, the advanced guard; and so on, showing in outward and visible signs the road followed to a finished and intense civilization.



Franklin G. Adams.

**185. State Treasures.**—In the care of the State itself are preserved the flags of the Kansas regiments and

batteries; in the care of the Historical Society is kept their written and printed story, and the mute evidences of its truth.

The battle flags of the Kansas regiments and batteries were formally presented to Governor Crawford, at a Soldier's celebration, held at Topeka, on the 4th of July, 1866, and since have remained in the careful care of the State.

On the map of the State are preserved, in the names of counties, the names of Kansas soldiers—Mitchell, Cloud, Trego, Norton, Clark, Harper, Rooks, Rush, Russell, Stafford, Cowley, Graham, Jewell, Osborne, Ellis, Gove, Pratt, Ness and Hodgeman. Governors Crawford and Harvey, whose names are borne by counties, were officers in Kansas regiments. Alfred Gray and Dudley Haskell saw service with Kansas troops.

#### SUMMARY.

1. Peace is within thy walls and prosperity in thy palaces.
2. President Lincoln commissions many Kansas Generals.
3. The State Historical Society has faithfully preserved the annals of the war, and records of the progress of Kansas.
4. The map of Kansas is covered with brave names,

## CHAPTER XX.

### BUILDING THE STATE.

**186. State Officials During Civil War.**—During the years of the Civil War, Kansas made but slow progress in the accumulation of population and material wealth. The machinery of the civil State moved with regularity. Governor Robinson was succeeded, in 1863, by Governor Carney, and Martin F. Conway by A. Carter Wilder as Representative in Congress. In 1865 Governor Carney was succeeded by Governor Samuel J. Crawford, and James H. Lane succeeded himself as United States Senator.

**187. Educational Advancement.**—Preliminary steps were taken, in 1863, for the establishment of the State University at Lawrence, the State Agricultural College at Manhattan, and the State Normal School at Emporia. It was, in spite of war's alarms, a period of foundations and beginnings. The State, even in the midst of war, continued the first works of the troubled Territorial period, when Baker University, an institution still enjoying a prosperous growth, was established as early as 1857.

**188. Homestead Law.**—An event having a most important bearing on the life and prosperity of Kansas, was the passage of the Homestead Law, on the 20th of May, 1862. The bill had been introduced in the House by Mr. Grow, of Pennsylvania. It had once been vetoed by President Buchanan. It was signed by President Lincoln,

and took effect on the 1st of January, 1863. Within ten years thereafter twenty-six millions of acres of the public lands were entered by homestead settlers.

The law, in substance, gave a title from the United States to the actual settler who held the 160 acres for five years. The Homestead Law was an answer to those who demanded "land for the landless," and who sang: "Uncle Sam is rich enough to give us all a farm." At the close of the Civil War, a great many men who had served in the Union army were left with lands and homes to seek, and the law was so amended that the homesteader might deduct from the five years' residence required by the law, the time passed by him in the military or naval service of his country. With the close of the war, a great ex-soldier immigration poured into Kansas.

**189. First Railroad.**—The system of land grant railroads was also a great element in the settlement of the country. Kansas went in early for railroads. The Territorial Legislatures granted charters for extensive lines. The first railroad ever laid in Kansas was put down at Elwood, opposite St. Joseph, Mo., on the Marysville & Elwood Railroad, on the 20th of March, 1860, but drought and war intervened to prevent extensive railroad building in Kansas at that time.

**190. Grant to A. T. & S. F. Railroad.**—The policy of subsidizing the railroads in lands and bonds by the general Government was diligently labored for by Kansas men at Washington. In 1863, Congress made to the State of Kansas a grant of land, giving alternate sections, one mile square, ten miles in width, amounting to 6,400 acres, a mile on either side of a proposed line running from Atchi-



son via Topeka, to some point on the southern or western boundary of the State in the direction of Santa Fe, with a branch from some point on the southern line of Kansas to the City of Mexico. This grant the State of Kansas transferred to the Atchison, Topeka & Santa Fe Railroad Company, February, 1864. This grant amounted, as it turned out, to some 3,000,000 acres of land.

**191. Grant to the Union Pacific Railroad.**—The Eastern Division of the Union Pacific, on which work was begun on the State line of Kansas and Missouri in November, 1863, it being the first road started from the Missouri to the Pacific—eventually received a grant of alternate sections, twenty miles in width, and amounting to 12,800 acres to the mile. The grant extended 394 miles west from the Missouri river, and amounted to some 6,000,000 acres. Other lines extending through Kansas received subsidies, but these two, the Atchison, Topeka & Santa Fe and the Union Pacific Eastern Division, later called the Kansas Pacific, and the Missouri, Kansas and Texas, were the largest grantees of land. Besides these grants the railroads acquired large tracts of Indian lands.

**192. Other Grants.**—In February, 1866, the Legislature gave to four different railroad companies, 500,000 acres granted to Kansas under the Act of September, 1841, the lands to be sold for the benefit of the railroad companies, by an agent appointed by the Governor. The objection, however, being made, that Article VII, of the Ordinance to the Constitution of Kansas, states, “that the 500,000 acres of land to which the State is entitled under the Act of Congress, entitled ‘an act to appropriate the proceeds of the sale of public lands, and grant pre-emption

rights,' approved September 4, 1841, shall be granted to the State for the support of common schools.'" The land grant policy was in after years the subject of severe criti-



Stone Dugout, Osborne, Kan.

cism, and caused extensive litigation between the settlers and the railroad companies, but at the time of its adoption was popular in Kansas. The organized counties voted large amounts of bonds to the roads, and the progress of the roads for a time was the progress of the State. The grants of land facilitated the building of the roads, and in Kansas the railroads preceded instead of following the settlement, greatly accelerating the old process of filling a country with a wagon immigration. The land grant companies sold their lands at low rates, and on long time, and the alternate sections reserved by the Government were

sold at \$2.50 an acre, while beyond the "railroad limit," the homesteader pushed in everywhere.

**193. The Pioneer.**—The United States land offices which, in the Territorial days, were located along the line of the Missouri river, were moved westward from time to time to accommodate the host of claim seekers, who, in some instances, remained about the offices the entire night to await their opening in the morning. In the Concordia land district alone, in the year 1871, 932,715 acres of land were entered under the Homestead Act.

The homesteader has been styled the "Pilgrim Father" of Kansas. He left the great highways of travel and



Sod Schoolhouse, Osborne County, Kan.

sought the vast, open country. From the thin line of timber skirting the stream, he might gather a few logs to build his cabin, but more often he shaped his habitation in or of

the earth itself, a dugout or a sodhouse, the walls built up of strips of prairie sod turned over by the plow, the roof often covered with marl, or natural lime, as it was called, from the bottom of the prairie draw. Here, with his wife and children, lived in the first hard years the homesteader, under the vast sky, girt about by an immense and remote horizon. And not alone did the homesteader use the sod wherewith to rear his residence and out-buildings; the "prairie lumber yard" had public uses also. The first schoolhouse for the settlers' children was built of sod, and in the settlement of Jewell county, a fort of sod fifty yards square, with walls seven feet high and four feet thick, was built; and within the enclosure was dug the first well in the county.

At first the buffalo in their migrations came near, wandering up to the settler's door, but as the vast herds which had furnished the Indians with food and clothing for untold centuries, without apparent diminution, retreated westward, he followed them, making an annual campaign against them in his wagon, which he loaded with meat. When there was nothing left of them save their bleaching bones, he gathered these up and hauled them to the distant railroad station, where they accumulated in great white piles. Thus he added to his slender store of ready money. From Hays City, in May, 1875, the shipments of bones amounted to twenty tons a day.

**194. Election of Senators.**—The Legislature of 1867 re-elected Samuel C. Pomeroy to the United States Senate, for the long term, and for the short term elected Edmund G. Ross, who had been appointed by Governor Crawford to fill the unexpired term of James H. Lane.

**195. James H. Lane.**—On the evening of Sunday July 1, 1866, General James H. Lane, while riding in a carriage with Mr. McCall and Captain Adams, on the Government farm at Fort Leavenworth, sprang from the vehicle as it stopped at a gate, uttered the words, "Good-bye, Mac," placed the muzzle of a pistol to his mouth and fired. The ball passed directly through the brain and emerged from the upper center of the cranium. With this terrible wound he survived for ten days, at times apparently conscious, dying at 11.55 A. M. of Wednesday, July 11, 1866. At the time of his death, General Lane was serving his second term as a United States Senator from Kansas, and was in the prime of his years.



James H. Lane.

In his lifetime, the year and place of his birth was a matter of controversy. In a list of the members of the Topeka Constitutional Convention he is enrolled as a native of Kentucky, thirty-three years of age, and a lawyer by profession. He was born at Lawrenceburg, Ind., on the 22d of June, 1814. He was the son of Amos Lane, first Speaker of the Indiana House of Representatives, and a judge and member of Congress from that State. His mother was of an old and honorable New England family. At thirty years of age, he enlisted as a private in the Third Indiana Volunteers, to serve in the Mexican War. He was promoted to the colonelcy of the regiment, displayed conspicuous gallantry at Buena Vista, and later commanded the Fifth Indiana Volunteers. After the war he was elected Lieutenant-Governor of Indiana, Presidential Elector-at-

Large, and a member of the Congress which passed the Kansas-Nebraska Act, for which he voted.

In 1855, the year after the passage of that Act, he came to Kansas and to Lawrence. His latest biographer, and devoted and intimate friend, Hon. John Speer, speaks thus of the event:

“One bright morning in April, 1855, as Lane was passing with his team over the hill where the State University now stands, he halted and walked into the little hamlet now called Lawrence, named but without a charter, carrying a jug to fill with water to pursue his journey westward, but meeting a man named Elwood Chapman, who offered to sell him a ‘claim,’ he purchased and ended his journey.” He entered the town which was to be his home and the field of an eventful and distinguished career, a Democrat from Southern Indiana, who had voted in Congress for the Kansas-Nebraska Act. On the 14th of August, 1855, he participated in what is spoken of by the annalist as “the first convention in Lawrence of Free State men of all parties,” and from that time forward he was what he later avowed himself, “a crusader of freedom.” Tireless, indefatigable, alert, full of audacity, endless in plans and resources, he was everywhere, in war, in peace, in combat, in diplomacy, in battle and treaty. He was early an advocate of the “Topeka Government,” the first organized effort for the admission of Kansas as a Free State. He was a member of the Free State Executive Committee, of which Charles Robinson was chairman. He reported the platform of the Big Springs Convention; he was President of the Topeka Constitutional Convention. When Kansas appealed to the North he became a national character; he

was called "Jim Lane, of Kansas." In April, he addressed the Legislature of Pennsylvania at Harrisburg; in May, he spoke to a great meeting in Chicago, where \$15,000 was raised for Kansas.

When Kansas became a State of the Union, he was elected, after a memorable struggle, one of the first United States Senators; and then came the great Civil War, in which he exhibited that strange blending of qualities, capacities and dispositions, which belonged to him alone. He raised whole brigades, and commanded one of them in the field, even without a commission. He retained all through the period of storm the confidence of the commander-in-chief of our armies, as well of the head of the State. He saw the last of the fighting on the Kansas border.

In 1865, he was re-elected United States Senator almost without opposition.

A year later, as a Senator, he advocated the policy of President Johnson, and broke with Kansas. He made a bold fight for his long supremacy. It seemed, at times, that he would win it back, but he knew at last that there was nothing to hope. Those who knew him best said that the thought drove him to madness and to death.

He was a remarkable man. In the strange power of his speech there has been no other like him in Kansas. He made many enemies, but attached friends to himself as with hooks of steel, who remember him only as the "Crusader of Freedom."

The vacancy in the United States Senate, occasioned by the death of General Lane, was filled temporarily by the appointment, on the 20th of July, 1866, by Governor

Samuel J. Crawford, of Hon. Edmund G. Ross, who was subsequently elected by the Legislature to fill the unexpired term of Senator Lane. Senator Ross had served the State, in the field, in the Eleventh Kansas Cavalry, attaining the rank of Major and brevet Lieutenant-Colonel, and was one of the framers of the Wyandotte Constitution. He remained in the Senate until 1871.

#### SUMMARY.

1. The Homestead law giving *bona fide* settlers 160 acres of land, passed May 20, 1862.
2. Large grants of land were given to the A., T. & S. F., the Union Pacific, and other railroad companies.
3. The railroads gave wonderful impetus to immigration, proving one of the greatest factors in the development of Kansas.
4. The Pioneers, the Pilgrim Fathers of Kansas.
5. Samuel C. Pomeroy re-elected, and Edmund G. Ross elected to the United States Senate.
6. The death of General James H. Lane removes from Kansas a remarkable and distinguished personality.



## CHAPTER XXI.

### THE INDIAN WARS.

**196. The Early Peril.**—While the Kansas frontiersman was thus holding the picket line of civilization, he was exposed for years to the incursions of a ruthless enemy, who came and went with the uncertainty of the wind—the Indian. The Civil War had not ended before the State was endangered by the incursions of the savages. The Indians, in 1864, had become so formidable that Generals Curtis and Blunt had planned a campaign against them, but were recalled from it to meet the advancing Confederates of General Price.

**197. Indian Raids.**—In 1865 and 1866 the Indians came into the northwestern valleys and murdered settlers on White Rock creek in Republic county, and at Lake Sibley in Cloud county, and these outrages were followed by an Indian raid in the Solomon valley. Troops were ordered from Fort Ellsworth to the Solomon valley by General Hancock, and a company of State militia took the field and held off the Indians for a time. The building of the Union Pacific through Kansas, in 1867, excited the savages, and the entire plains country seemed full of their war parties. They attacked settlers in the Republican, Smoky Hill and Solomon valleys, and raided in Marion, Butler, and Greenwood counties. In June of 1867, the Cheyennes, Arapahoes and Kiowas seemed to have united

to drive back the frontier line of settlement and close communications across the plains.

**198. Relief Comes.**—Lieutenant-General Sherman called on Governor Crawford for a battalion of volunteer cavalry, and in obedience to the Governor's proclamation, the Eighteenth Kansas Battalion of 358 men, commanded by Colonel H. L. Moore, took the field. Colonel Moore met and whipped the Indians, and in connection with a force under Major Elliott, of the Seventh United States Cavalry, drove them toward the headwaters of the Republican. While the Cheyennes, Arapahoes, Kiowas, Sioux and Comanches were operating in the northwest, bands of Osages, Wichitas and others were raiding in the southern and western portions of the State, necessitating the stationing of troops at Fort Larned and other points.

**199. Treaty of 1867.**—On the 28th of October, 1867, Generals Sherman, Harney and Terry made a treaty with the Cheyennes and Arapahoes, at Medicine Lodge creek, which provided that these Indians should remove to a reservation in the Indian Territory, and also provided that the Indians should have the privilege of hunting in Kansas, the Government furnishing them with arms.

**200. Treaty Broken.**—As soon as they were ready in the spring, the Indians broke the treaty, a body of 500 Cheyennes penetrating the State nearly to Council Grove, Morris county, murdering and robbing as they went. At the very time, in August, when the Indians were drawing arms at Fort Larned, a party of Cheyennes was murdering men, women and children in Ottawa, Mitchell and Republic counties.

**201. Governor Crawford to the Rescue.**—On hearing of the raid, Governor Crawford went by special train to Salina, placed himself at the head of a company of volunteers, and followed the trail of the Indians. It was found that forty persons had been killed, numberless outrages committed, and for sixty miles the settlements destroyed and the country laid waste. On his return to Topeka he sent a dispatch to the President: "The savage devils have become intolerable, and must and shall be driven out of the State," and offered to furnish all the volunteers necessary to "insure a permanent and lasting peace." In reply, General Sheridan, at Fort Harker, gave assurances that the line of settlement should be protected and garrisoned with infantry, while a regular cavalry force should scout the exposed country. Governor Crawford, however, called for a force of five companies of cavalry from the militia of the State, each man to furnish arms and accoutrements, and be furnished with rations by General Sheridan. The companies were stationed at exposed points from the Nebraska line to Wichita, relieving a regular force to operate against the Indians. General Sully went south of the Arkansas with nine companies of cavalry, and taught the Cheyennes and Arapahoes some useful lessons.

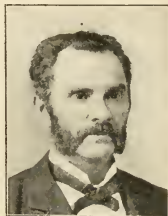
**202. Governor Crawford and the Nineteenth.**—Convinced that the Kiowas and Comanches were determined to keep up the fight, General Sherman called on Governor Crawford for a full regiment of volunteer cavalry. Governor Crawford issued his proclamation on the 10th of October, 1868, and on the 20th of October, ten days later, the regiment of 1,200 men was mustered into service at Topeka.

The regiment was called the Nineteenth Kansas Volunteer Cavalry. Governor Crawford, who had seen service in the Civil War as a Captain in the Second Kansas Infantry; Major in the Second Kansas Cavalry, and Colonel of the Second Kansas Colored Infantry, resigned the Governorship of the State on November 4, 1868, and assumed the command of the Nineteenth, the Lieutenant-Colonel being Horace L. Moore, who had commanded the Eighteenth Kansas in a previous campaign against the Indians, and the Major, William C. Jones, formerly of the Tenth Kansas Volunteer Infantry. The regiment left Topeka on the 5th of November, and on the 28th joined General Sheridan on the North Canadian, but at one o'clock on the morning of the 27th of November, General Custer had charged into Black Kettle's village on the Washita, killed 103 warriors, and captured fifty-one lodges and many horses and mules. The Indians fell back, and, on the 24th of December, surrendered. The Nineteenth moved to Fort Hays in March, having kept the open field all through the severe winter, and in April was mustered out. This was the last call on Kansas for so large a force as a regiment to repel or pursue Indians.

**203. Colonel Forsythe's Experience.**—One of the thrilling passages of this Indian War of 1868, was Colonel Forsythe's fight with the Indians, beginning on the 17th of September. Barricading himself with his dead horses on an island in the north fork of the Republican, Colonel Forsythe held at bay, for eight days, a large force of Indians; his men living on the flesh of the horses. Colonel Forsythe was severely wounded; Lieutenant Beecher and Surgeon John Mooers were among the killed. A scout finally made

his way through the Indian lines to Fort Wallace, and brought relief, on the approach of which the Indians withdrew. It was one of the most desperate fights of the war, and its scene was not far distant from the Kansas line.

**204. Indian Troubles of 1869-70.**—The still implacable red man harried the borders of the State in the spring of 1869 and 1870, coming in at the northwest, and a battalion of militia was sent to the Republican, Saline, and Solomon valleys, and United States troops were employed in the same region.



Governor Nehemiah Green.

**205. Atrocities of the Cheyennes in 1874.**—In May, 1874, the Cheyennes committed murders in Ford, Barber, and Comanche counties, and threw the country into great alarm, and hundreds of settlers left their claims. Stockades were built, companies organized and armed. There was a skirmish between the Indians and the militia, in which four Indians were killed, but the Indians had still the best of the bloody account, since between June and the end of the year 1874, twenty-seven persons were murdered by Indians within the State.

**206. Cheyennes Start for Their Old Home.**—In the fall of 1878, a band of northern Cheyennes who had been removed to the Indian Territory, resolved to return to their former home. Taking their women and children, they started northward through Kansas. When the news of their departure reached Fort Dodge, a detachment left the Fort, and attacked them at the cañon of the Famished Woman's Fork. Lieutenant-Colonel William H. Lewis,

commanding the troops, was killed, and the Indians proceeded on their way. As the Indians crossed several main lines of railway and many telegraph lines, information of their progress was constantly forwarded. The State Government sent arms to the settlers in the threatened country, but nothing in the way of assistance could be secured from General Pope at Fort Leavenworth. On the 30th of September, the Indians appeared on the Sappa, in Decatur county, and committed fearful atrocities, but made their escape almost unmolested to the North. They were finally overpowered, and a number of those identified as having committed outrages, were sent, on demand of Governor Anthony, to Kansas for trial before the civil courts for murder and other crimes, but were never prosecuted. This raid, in which forty white persons were reported killed, was the last in Kansas.

**207. The Indian in Kansas.**—The Indian appears in



Governor James M. Harvey.

the history of Kansas, a grim and unhappy figure. No gentle or attractive traditions remain concerning him. He appears squalid and degraded, or brutal and terrifying, a beggar or a bandit. For years he menaced the border, fighting, with the ferocity of a wild beast, the advance of civilization. He was swept on and away from it, leaving behind no eulogist to praise a brave foe, nor mourner for a generous enemy.

**208. Election of State Officers.**—On the resignation of Governor Crawford, the official duties of Governor were assumed by Lieutenant-Governor Green. In November,

1868, the following State officers were elected: Governor, James M. Harvey; Lieutenant-Governor, C. V. Eskridge; Secretary of State, Thomas Moonlight; Auditor, Alois Thoman; Treasurer, George Graham; Attorney-General, Addison Danford; Superintendent of Public Instruction, Peter McVicar; Daniel M. Valentine, Associate Justice. Sidney Clark was re-elected Member of Congress. Kansas cast her electoral vote for Grant and Colfax.

**209. State Printer Elected.**—The Legislature of 1869 elected S. S. Prouty to the newly created office of State Printer.

#### SUMMARY.

1. The Indian raids of the 60's were many and atrocious. The most remarkable occurred in the Republican, Smoky Hill, and Solomon valleys.
2. Governor Crawford not only sent large forces to the field, but he organized the Nineteenth Regiment, resigned his position, and went himself to lead the regiment.
3. The Cheyennes, in 1874 and 1878, devastated three counties, and on their route to the North laid waste the country, and killed many people.
4. James M. Harvey was elected Governor.
5. Kansas cast electoral vote for Grant and Colfax.
6. S. S. Prouty elected State Printer.

## CHAPTER XXII.

### IMMIGRATION.

**210. Dawning of the Era of Prosperity.**—With the year 1870 the State of Kansas may be said to have passed through a sea of troubles, and emerged upon the shore of peace and prosperity.

In 1870 Governor Harvey was re-elected, with P. P. Elder as Lieutenant-Governor; William H. Smallwood, Secretary of State; A. Thoman, Auditor; J. E. Hayes, Treasurer; A. L. Williams, Attorney-General; H. D. McCarty, Superintendent of Public Instruction; David J. Brewer, Associate Justice. D. P. Lowe was elected member of Congress.

**211. Census of 1870.** The United States census, taken in June of that year, showed a population of 362,307. The increase in population of Kansas from 1860 to 1870 was 235.99 per cent. The average increase for all of the States and Territories was 21.52 per cent.

**212. Founding of State Institutions.**—The end of the first decade of the State's history saw it provided with the most important State institutions. The Legislature of 1863 located the first State Insane Asylum at Osawatimie; provided for the building of a penitentiary at Lansing; established a State University at Lawrence, and accepted the Act of Congress giving lands for an Agricultural College; accepted the cession of its lands from Bluemont College, at Manhattan, and the State Agricultural College



itself was organized July 27, 1863. The amount of land selected for the State University in 1861 was 46,080 acres. The Legislatures of 1863 and 1869 gave the State Normal School 38,400 acres; the grant to the Agricultural College amounted to 82,315 acres. The Legislature of 1864 located the State Deaf and Dumb Asylum at Olathe, and the Blind Asylum at Wyandotte. The year saw the State charitable and educational institutions thoroughly and efficiently organized, and ready for the great advances to be made.



State Normal School Building.

**213. State House.**—The State Government, which had occupied a brick building on Kansas avenue, erected by private parties in 1863, and known as the “State Row,” abandoned these primitive quarters in the later days of 1869 for the newly completed east wing of the present Capitol, upon which structure work had fairly begun in the spring of 1867. The first Legislature to meet in the State’s own house was that of 1870, James M. Harvey being the chief magistrate of the Commonwealth.



Chemical Laboratory.



Science Hall.



Main Building.



Domestic Science.



Gate & Drive Way.

**214. State Institutions.**—The State University, which dedicated its first building in 1866, in 1873 opened its main building, considered, at the time, one of the finest structures devoted to educational uses in the United States.

The State Normal School completed a new building in 1872. The State Agricultural College removed to a point nearer Manhattan in 1873. The State did not, in its earliest years, neglect the criminal and deficient population, since, between its organization and the year 1870, it expended over \$400,000 upon the penitentiary. The Insane Asylum, at Topeka, was added to the State institutions in 1875.



Chancellor F. H. Snow, University of Kansas.

**215. Election and Appointment.**—Alexander Caldwell was chosen United States Senator by the Legislature of 1871. Mr. Caldwell resigned March 24, 1873, and Governor Osborn appointed Robert Crozier to fill the vacancy. The Legislature also re-elected S. S. Prouty State Printer.

**216. Election of 1872.**—At the election of 1872, Thomas A. Osborn was chosen Governor; E. S. Stover, Lieutenant-Governor; W. H. Smallwood, Secretary of State; D. W. Wilder, Auditor; J. E. Hayes, Treasurer; A. L. Williams, Attorney-General; H. D. McCarty, Superintendent of Public Instruction; Samuel A. Kingman, Chief Justice of the Supreme Court.

**217. Increased Representation.**—Up to the year 1872, the State of Kansas had but one Representative in Congress, the office being filled successively by Martin F.

Snow Hall  
Natural History



Old Chemistry Building



Baker Hall  
Physic Building



Fisher Hall



Taylor Machinery Shop



Spencer Library



State University Buildings.

Conway, A. Carter Wilder, Sidney Clarke, and D. P. Lowe. Under the census of 1870, the State became entitled to three Representatives in Congress, and in November, 1872, D. P. Lowe, of Fort Scott, William A. Phillips, of Salina, and Stephen A. Cobb, of Wyandotte, were elected from the State at large.

**218. Railways in Kansas.**—On the 1st of September, 1870, the Kansas Pacific, originally called the Union Pacific Railway, Eastern Division, and begun at the Kansas State line in Wyandotte in 1863, reached Denver, being the first railroad to cross Kansas from east to west. The first locomotive for the Atchison, Topeka & Santa Fe Railroad Company, the "C. K. Holliday," reached Topeka in March, 1869.

**219. Kansas Invitation.**—With the construction of these railroads, with their enormous land grants to be disposed of, ensued several years of such "bold advertisement" as Kansas had never before received. The agents of the land departments of the great railroad companies visited Great Britain and the Continent; offices for the dissemination of information were opened in every important city in the United States and Europe. The buffalo head, the especial symbol of the Kansas Pacific, became visible in the most distant capitals; the advantages of the "Santa Fe" and its lands were set forth in all modern languages. All distinguished representatives of foreign nations were invited to join excursions through Kansas, and among these came the Grand Duke Alexis, of Russia, and his suite, and were welcomed by Governor Harvey and the Legislature at Topeka. The members of the press of the United States and of the world were cordially invited, and Kansas travelers, in remote regions of Europe, often

found local communities greatly excited and interested over the advent of a Kansas newspaper, describing the lands of the Great West ready and waiting for the settler.

**220. Colonization.**—A favorite method of disposing of the lands was in large tracts to "colonies." In 1871 the Kansas Pacific sold to a Swedish colony, in Saline county, 22,000 acres; to a Scotch colony, in Dickinson county, 47,000 acres; to an English colony, in Clay county, 32,000 acres, and to a Welsh colony, in Riley county, 19,000 acres. In 1873, George Grant, of England, purchased of the Kansas Pacific Company 50,000 acres in the eastern portion of Ellis county, with the design of colonizing English people of means.

**221. The Mennonites.**—With the addition of the Atchison, Topeka & Santa Fe Railroad Company to the land-selling corporations, came vigorous efforts to induce emigration from Europe. Mr. C. B. Schmidt, on behalf of the company, traversed the Russian empire, carefully watched by the emissaries of the Government, and opened up communication with the Mennonite communities in Southern Russia, whose thoughts had been turned toward emigration to America by the proposed revocation, by the Czar's Government, of the privileges under which their fathers had settled in Russia.

In August, 1873, five leaders of these people (kindred in race and religion to the founders of Germantown and other early German settlements in Pennsylvania) visited the counties of Harvey, Sedgwick, Reno, Marion and McPherson, to select lands for a colony from Russia. The Legislature of 1874, mindful of the peaceful principles of the colonists, passed an act exempting Mennonites and Friends

from military duty. In September, 1874, 1,600 Mennonites arrived at Topeka from Russia. In October the Atehison, Topeka & Santa Fe Company sold them 100,000 acres of land in Harvey, Marion and Reno. The following summer they were living in their villages of Gnadenau and Hoffnungsthal, in Marion county, and located on their farms about.

**222. Their Settlement.**—In July, 1877, it was estimated that 6,000 Mennonites had settled in the Arkansas valley. Though for a time popularly called “Russians,” they were Germans in language and lineage. They brought with them from Russia the apricot and mulberry, and also brought what they had retained in Russia, the German thrift, industry, and belief in popular and universal education. They abandoned, after a brief trial, the village and “common field” idea under which they lived in Russia, and absorbed the American idea of individual ownership and control. They have taken part in all the business life of the communities amid which they came to dwell, they have become prominent in it, and have distinguished themselves by their attachment to the cause of education, fostering higher schools of their own, and patronizing the State University and other educational institutions of the first rank. The Mennonite immigration continued for several years; the immigrants coming directly from Russia and Germany to the place where they would be.

**223. Russian Immigration.**—In the years 1875-'76-'77 a large “Russian” immigration settled, under the auspices of the Kansas Pacific, in Ellis county. These people, divided into five settlements named after cities and towns in Russia; adhered to some extent to the village system, almost universal among the agricultural population of Russia, and to

the Catholic faith, to which they have testified their devotion by building commodious and substantial churches. They have found Kansas a land of promise and fulfilment.

**224. John J. Ingalls as Senator.**—The Legislature of 1873 chose John James Ingalls as United States Senator as the successor of Samuel C. Pomeroy, first elected to the Senate in 1861. George W. Martin was elected State Printer, and re-elected by the Legislature of 1875.

**225. State Election.**—In 1874, Thomas A. Osborn was re-elected Governor; with M. J. Salter, Lieutenant-Governor; T. H. Cavanaugh, Secretary of State; D. W. Wilder, Auditor; Samuel Lappin, Treasurer; A. M. F. Randolph, Attorney-General; John Fraser, Superintendent of Public Instruction; D. M. Valentine, Associate Justice; William A. Phillips, J. R. Goodin and W. R. Brown were elected members of Congress.

**226. Election of Senator.**—James M. Harvey, who had served two terms as Governor of the State, was elected by the Legislature of 1874, United States Senator, to fill the remainder of the term for which Alexander Caldwell was elected, a portion of the term having been filled by Hon. Robert Crozier, by appointment of the Governor.

In 1874 Kansas, taking an account of stock in resources educational, noted that the school districts had grown in number, since 1861, from 214 to 4,181; the school population from 4,901 to 199,019. The number of teachers employed had increased from 319 to 5,043. The value of schoolhouses, which in 1862 was estimated at \$10,432, was, in 1874, set down as \$3,989,085. This increase was made from year to year, including the years of the Civil War, no year being marked by a falling off or a cessation of



growth, showing that the people of Kansas were not to be diverted by any vicissitude from the upbuilding of the common and public school, the hope and security of free government.

## SUMMARY.

1. Dawning of better times.
2. The census of 1870 gives a population of 362,307 in Kansas.
3. The State institutions built during the first decade of Kansas as a State, were the Insane Asylum, the Penitentiary, the State University, the State Agricultural College, the State Normal School, the Deaf and Dumb Asylum and the Blind Asylum.
4. The State House was occupied for the first time by the Legislature in 1870, James M. Harvey, Governor.
5. Alexander Caldwell was chosen United States Senator in 1871.
6. Thomas A. Osborn was elected Governor in 1872.
7. Kansas became entitled to three Representatives in Congress under the census of 1870.
8. The Union Pacific was the first road to cross Kansas.
9. Kansas invited all the world into her borders.
10. John J. Ingalls was elected United States Senator in 1873.
11. Thomas A. Osborn was re-elected Governor in 1874.
12. James M. Harvey was elected United States Senator in 1874.

## CHAPTER XXIII.

### THE CENTENNIAL YEAR.

**227. Kansas at the Centennial.**—A feature of the great “boom decade,” 1870-1880, was the participation of Kansas in the Centennial Exposition of 1876 at Philadelphia. The Legislatures of 1875 and 1876 appropriated \$30,000 for the exhibition, and a further sum of \$8,625 to be devoted to a report of the State Board of Agriculture, which should also contain an account of the Exposition. The women of Kansas manifested much interest in the part Kansas should take in the National celebration. For the \$10,000 to which the building fund was limited, a frame house was erected in an excellent location, and therein, dividing the space with the State of Colorado, the State of Kansas made a memorable exhibition. The attendance, small at the opening of the Exposition, increased with its progress, and at the close became a rush. Among the visitors came Dom Pedro II, of Brazil, and his Empress, and with them a countless crowd of American sovereigns.

Every feature of the Kansas exhibition was a success, and a most admired map, showing by a star the location of every Kansas school house, is still preserved in the Capitol at Topeka.

**228. Prizes Won by Exhibitors.**—John A. Martin and George A. Crawford were appointed the National Centennial Commissioners for Kansas. The display owed its effect to

the taste of the arrangement, largely the work of Henry Worrall, of Topeka. Kansas received a certificate for the best collective exhibit; a first premium on fruit; a medal for a bound record book, exhibited by the State Printer, George W. Martin, and a prize for the best farm wagon, appropriate to the State where, by freighter's wagon and farmer's wagon, the "Star of Empire" has taken its westward way.

**229. Centennial Year in Kansas.**—The Centennial year was marked in Kansas by the mildness of the season with which it opened, with the ground unfrozen and bluebirds singing in January and February.

The people throughout the State evinced a revived interest in the history of their country and their State. The Fourth of July, 1876, was celebrated with enthusiasm, and seventy-five newspapers published local histories.

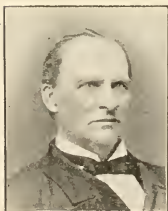
**230. Calamity of 1874.**—There is no rose without its thorn, and the ten wonderful years for Kansas, 1870 to 1880, were broken by one year of calamity, 1874. In that year the drought came after the wheat harvest, and the grasshoppers became a burden. As a spectacle the approach of the winged destroyers was sufficiently terrifying, and the destruction of vegetation was complete. A special session of the State Legislature was called, but concluded that relief from the State treasury was impracticable, and that the locusts must be met by issues of county bonds.

**231. Relief.**—In this juncture a State Relief Committee was organized, composed of well-known and responsible citizens of the State, who issued an address to the "citizens of Kansas and the people of the Eastern States." This committee received and disbursed money and goods to the

amount of \$235,000. This was the last "grasshopper invasion," and probably the last "aid campaign" in or from Kansas. Owing to the conduct of "unauthorized, irresponsible and mercenary parties," against whom the State Committee raised loud but ineffectual warning, the word "aid" became quite as unpopular in Kansas as the word "locust."

**232. The Hoppers Depart.**—In the early spring of 1875, the young locusts hatched out in large numbers in Kansas and created much alarm. They evinced, however, a delicacy of constitution unknown to their hardy, northern progenitors, and on taking wings they took flight to the northward, in time to allow late planting, and the season which followed was one of the most fruitful in the history of the State.

**233. Election of 1876.**—In 1876 George T. Anthony



Gov. George T. Anthony.

was elected Governor; M. J. Salter, Lieutenant-Governor; Thomas H. Cavanaugh, Secretary of State; P. I. Bonebrake, Auditor; John Francis, Treasurer; Willard Davis, Attorney-General; A. B. Lemmon, Superintendent of Public Instruction; David J. Brewer, Associate Justice. William A. Phillips, Dudley C. Haskell and Thomas Ryan were elected to Congress.

**234. The Exodus.**—In the spring of 1874, it was noted that parties of colored people were emigrating to the State from the South, the larger number from Tennessee. These immigrants located in southeastern Kansas, and engaged in growing cotton. A settlement was also formed in Morris county.

In the spring of 1879 occurred the rush from the South, to which was given the name of the "Exodus," and the "Exoduster" for a time became a prominent figure in Kansas. Great numbers of black people, men, women, and children, arrived by rail at Parsons, from Texas, and on steamboats at Wyandotte and Atchison. The later comers represented the ex-slave population of Tennessee, Mississippi, and Louisiana. They were set ashore with their scanty household goods, strangers, houseless, foodless, but seemingly cheerful and uncaring. Their story soon became the talk of the country, and a Congressional committee was formed to investigate the "Exodus," and many witnesses were summoned from Kansas.

In the meantime, the "Exodusters" cared for themselves, and were cared for. Meetings were held in Lawrence, Wyandotte, Leavenworth, and Topeka, to take measures for their immediate relief. A Freedman's State Central Association was formed, headed by Governor St. John. Money and goods were received, \$2,000 coming from Chicago, and \$3,000 from England. In Atchison the colored people came generously, with the whites, to the rescue.

**235. Settlement of the Negroes.**—In the late fall of 1877, "Exodusters" gathered from Topeka and other points, and founded the town of Nicodemus, in Graham county. With but three horses in the entire settlement, the people in the spring put in wheat and other crops, with hoes and mattocks, and in the harvest pulled the grain with their hands. The men afterwards walked to eastern Kansas and to Colorado in search of work, and the women "held down the claims." The "Exodusters" formed little suburbs in the cities where they collected, and "Tennesseetown," in Topeka,

is a relic of the "Exodus." The entire body was absorbed in the laboring population of the State. These immigrants conducted probably the first successful attempt of the freed people to occupy, under the Homestead Law, the public lands of the United States. They came to Kansas not by invitation or offered inducement, but moved by an impulse to seek security in the pursuit of life, liberty and happiness.

**236. Amendment to the Constitution.**—In 1876 the Constitution of the State was amended so as to provide for biennial sessions of the Legislature, and the session of 1877 was the first held under the new amendment. On the 30th of January, 1877, the Legislature, on the sixteenth ballot, elected Preston B. Plumb United States Senator. George W. Martin was elected State Printer for the third term.



Governor John P. St. John.

**237. State Election, 1878.**—The November election of 1878 resulted in the choice of John P. St. John as Governor; L. U. Humphrey, Lieutenant-Governor; James Smith, Secretary of State; P. I. Bonebrake, Auditor; John Francis, Treasurer; Willard Davis, Attorney-General; A. B. Lemmon, Superintendent of Public Instruction; Albert H. Horton, Chief Justice. John A. Anderson, Dudley C. Haskell, and Thomas Ryan were elected to Congress.

General John Fraser died at Pittsburgh, Pa., June 4, 1878. General Fraser was born in Scotland. He came a young man to the United States, served with distinction in the war for the Union, and rose to the command of a brigade. After filling various educational positions of

prominence in the State of Pennsylvania, he became Chancellor of the University of Kansas, serving from 1868 to 1874. It was during the chancellorship of General Fraser that the main building of the University was built, and his name is preserved in Fraser Hall. In 1874 he was elected State Superintendent of Public Instruction, and served one term. He was chosen a professor in the Western University at Pittsburgh, in July, 1877, and there died. His was the record of a soldier, gentleman and scholar.

#### SUMMARY.

1. Kansas participated in the Centennial Exposition at Philadelphia.
2. Kansas won several prizes.
3. The prosperity of the years from 1870-1880 was broken by the grasshopper visitation in 1874.
4. The Eastern and Western States loyally gave assistance.
5. George T. Anthony was elected Governor in 1876.
6. The Negro Exodus of 1874 resulted in the settlement of many colored people in Kansas.
7. Biennial Sessions of the Legislature provided for by an amendment to the Constitution.
8. John P. St. John was elected Governor in 1878.

## CHAPTER XXIV.

### EVENTS OF THE DECADE.

**238. Cattle Trade.**—The great Texas cattle trade became a feature in Kansas with the building of the railroads. The “drive” being directed as conveniences for shipping were afforded. In 1866 Mr. Joseph G. McCoy came to Abilene and began his labors to attract the “drive” from Texas to Kansas. He was successful, and from 1867 to 1872 Abilene was a cow-boy town; and the “boy” with his jingling spurs, wide hat and other equipment was much in evidence. Ready to meet and thrive upon the sunburned traveler from Texas, and to share the burden of his money and his sins, came a motley crowd of both sexes, and great disorder prevailed, not only by night but by day. This, in time, led to the appointment of some person as city marshal, or otherwise styled regulator of the peace, armed with several revolvers and an unrivaled facility in their use. Thus came, in 1870, to Abilene, James G. Hickox, “Wild Bill,” and the head and progenitor of the entire family of wild and other Bills, who for years held a sure place in the dime novel literature of the country. The herds of long-horned cattle held in prairies about, the herd of wild men who haunted the “cow-towns,” the stir of a really great commeree, the cattle which were bought and sold, and shipped, greatly attracted the use of the writer’s pen. In 1871 the great cattle trade tarried for a season at Newton. In 1872 the



trade began to be a great feature at the new city of Wichita, and in 1875 at Dodge City. At all these points the sale and shipment of cattle rarely fell under 200,000 a year.

**239. John J. Ingalls' Re-election.**—The Legislature of 1879, on the 31st of January, re-elected John J. Ingalls United States Senator. The Legislature also elected George W. Martin State Printer for the fourth term.

**240. Prohibition Amendment.**—The last public act of Kansas in the decade of 1870–1880 which attracted the attention of the country was the passage, by the Legislature of 1879, of a joint resolution to submit to a vote of the people an amendment to the State Constitution forever prohibiting in Kansas the “manufacture and sale of intoxicating liquors,” except for medical and scientific purposes. The amendment was adopted at the general election in November, 1880, the vote standing 92,302 votes for the amendment to 84,304 against it.

The Legislature of 1881 passed the Act to enforce the provisions of the amendment, called the Prohibitory Law, the final vote in both Houses standing 132 ayes to 21 noes. After nearly twenty years the law has not been repealed, nor has the Constitutional Amendment, upon which it is based, been re-submitted to the people for their affirmation or rejection.

**241. Railroad System.**—In the year 1870, the railroad system of Kansas had but fairly commenced. In 1880 the State had been crossed and recrossed, and Kansas roads entered the Indian Territory and Colorado. In 1870 alone the Kansas Pacific sold 700,000 acres of land for \$2,000,000; by the close of 1879, the Atchison, Topeka & Santa Fe had disposed of 1,000,000 of its 3,000,000 acres.

**242. Organization of Counties.**—In 1872 was organized Rice county, in which the geographical center of the State was afterwards defined at the corner of sections 5, 6, 7 and 8, township 18 south, range 9 west; and two years later were organized the counties of Ford, Barber, Harper, Ness and Comanche, far to the westward.

**243. Production of Fruit and Wheat.**—In those days, Kansas began to be known in the East as a fruit State, and received honorable mention from New Hampshire, New York and Pennsylvania, and at Richmond, Va., the highest award of the American Pomological Society. As the harvest approached in 1875, it was estimated that 1,000 reapers would be needed in the Arkansas valley. In 1878 Kansas stood at the head of the wheat States, with a crop of 33,315,538 bushels.

**244. Kansas Vote in 1872.**—In 1872 it was discovered that Kansas cast a larger vote than any New England State, save Massachusetts.

**245. Kansas-Nebraska Act Anniversary.**—In 1879 was held at Bismarck Grove, Lawrence, the quarter centennial of the passage of the Kansas-Nebraska Act. The day selected, the 15th of September, 1879, as it turned out, was the twenty-fifth anniversary of the issue of the first newspaper in Kansas. The meeting was marked by the number present, of men and women, who took part in the stirring scenes of 1854 to 1859. Among the honored guests and speakers from abroad was Rev. Edward Everett Hale, of Boston, whose story of "A Man Without a Country," had taught a generation of young Kansans patriotism, and who had himself labored with voice and pen for Kansas in the old Territorial days, and whose book, "Kansas and Nebraska;

the History, Geographical and Physical Characteristics and Political Position of those Territories," published in 1854, has been pronounced the ablest Kansas book of its time.

**246. The First Ten Years.**—It was in 1874 that Kansas State bonds first sold above par. Kansas, in the first ten years of peace (not counting the Indian invasions) allowed her, laid firm the foundations of her future greatness; welcomed to her borders a great company from the East, and North, and South, from our own country, and from beyond the seas; turning back no human being for poverty, or race, religion or previous condition of servitude.

**247. Kansas at National Celebration of 1876.**—Kansas appeared at the great national celebration of 1876, where some of the oldest States of the Union "made no sign," and made a showing of her products so fine and fair, arrayed with such brightness of fancy and skill of hand, as to attract universal attention. "Kansas," said a leading American journal in 1870, "is the best advertised and most favorably known of the far western States. Her prestige is due to three causes: First, her political troubles and warfare for freedom, which elicited universal sympathy; second, the fertility of her soil, the superior of which does not exist in the West; and, third, to the activity of her citizens."

*date* **248. Settlers of Kansas.**—Kansas, in these formative years, demonstrated the fitness of the American Republic's form of Government, National, State and local, for the uses of a free, intelligent and self-governing people. Without charter or grant, or voice of herald or direction, or proclamation, the home-seeking thousands came into the country, selected the places for their rooftrees and their

fires; securing their titles thereto from the Government. Coming from distant and different regions, meeting for the first time as settlers in the Kansas prairies, they yet, as native and adopted American citizens, knew their privileges, and maintained their rights. They organized the institutions of Government, the school district, the township, the county, and affiliated with the State. In rude and primitive temples they reared the altar of the law, and installed its ministers. They commanded order, and they established justice. Beginning with the wagons in which they came as their first habitations, they built their cabins, which soon grew into comfortable houses; they became town and city builders; they abolished times and periods as known in the settlement of older countries. In two or three years after the first smoke darkened the prairie horizon the "Old Settlers' Reunion" was called, and orations were delivered from the perennial theme of "*Ad astra per aspera.*"

**249. Growth of Kansas.**—In an address delivered at the Quarter Centennial Celebration of the admission of Kansas, Topeka, January 29, 1886, Governor Martin said: "The growth of Kansas has had no parallel. The great States of New York and Pennsylvania were nearly 150 years in attaining a population Kansas has reached in thirty years. Kentucky was eighty years, Tennessee, seventy-five; Alabama, ninety; Ohio, forty-five, and Massachusetts, New Jersey, Georgia and North and South Carolina each over 100 years, in reaching the present population of Kansas. Even the marvelous growth of the great States of the West has been surpassed by that of Kansas. Illinois was organized as a Territory in 1810, and thirty

years later had only 691,392 inhabitants, or not much more than one-half the present population of this State. Indiana was organized in 1800, and sixty years later had a population of only 1,350,428. Iowa was organized as a Territory in 1838, and had, at that date, a population of nearly 40,000. In 1870 it had only 1,194,020 inhabitants. Missouri was organized in 1812, with a population of over 40,000, and fifty years later had only 1,182,012. Michigan and Wisconsin, after fifty years of growth, did not have as many people as Kansas has to-day; and Texas, admitted into the Union in 1845, with a population of 150,000, had, thirty-five years later, only 815,579 inhabitants."

**250. Census of 1880.**—The United States census of June, 1880, gave Kansas a population of 996,616. The State census of March, 1885, reported the increased figures 1,268,562.

**251. Election of 1880.**—The State officers elected in 1880 were John P. St. John, Governor; D. W. Finney, Lieutenant-Governor; James Smith, Secretary of State; P. I. Bonebrake, Auditor; W. A. Johnston, Attorney-General; H. C. Speer, Superintendent of Public Instruction; D. M. Valentine, Associate Justice; John A. Anderson, Dudley C. Haskell and Thomas Ryan were re-elected to Congress.

**252. Death of Alfred Gray.**—In the death of Alfred Gray, who passed away on the 23d of January, 1880, Kansas lost a most valuable citizen, who greatly added to her honest fame. Born at Evans, Erie county, N. Y., December 5, 1830, he worked as a boy on a farm, and later embarked as a sailor on Lake Erie. After rising to the rank of first mate he came ashore, turned his mind to study


and books, and finally became a practicing lawyer in Buffalo, N. Y. He abandoned excellent professional prospects to become, in 1855, a farmer in Wyandotte county, Kansas Territory. He took part in politics and war, and was chief clerk of the last Territorial Legislature, and rose to the rank of Division Quarter-Master in the Union army. It was in 1866 that Alfred Gray began his career of usefulness to the State. In that year he was elected a director of the State Agricultural Society. From this society grew the State Board of Agriculture, with Mr. Gray as its secretary, and the system of biennial reports which he prepared for years, and which have always been regarded as authority on Kansas agriculture, industries and resources, throughout the United States, Canada, and Europe. Mr. Gray's services to Kansas in connection with the Centennial Exhibition of 1876 were beyond price. He died the victim of overwork. His memory is preserved by a public monument, and in the name of Gray county.

Through the years 1880 to 1885, the coming settler was the main feature of the Kansas landscape. In 1881 it was reported that 10,762,353 acres of land had already been homesteaded in Kansas. There was in these years a reaction against the indiscriminate and wholesale granting of public lands to corporations; a disposition on the part of the State to recover its own, and to overhaul the titles to lands claimed and occupied by the great companies.

**253. Osage Lands.**—In March, 1880, the passage of Congressman Ryan's Indian Trust Land Bill opened the whole Kaw reserve to settlers. Bills for the relief of settlers on the "Osage Ceded," and other lands, became more frequent than measures for increasing the landed area of corporate owners.

It was on May 27, 1869, that the Osage Indians made a treaty, selling their lands to the Leavenworth, Lawrence and Galveston Railroad Company, to the amount of 8,000,000 acres. The settlers, many of whom had located on these lands prior to this sale, held great meetings at Osage Mission, Parsons, and other points, and commenced agitation. On the 19th of January, 1874, the Attorney-General of the United States issued an order to the United States District Attorney of Kansas to bring suit to test the validity of patents issued to railroad companies for any part of the Osage ceded lands. The case was argued in the United States Circuit Court at Leavenworth, in June, 1874, and in August decided for the settlers by Judges Miller and Dillon. In April, 1876, the United States Supreme Court decided the case for the settlers. After seven years or more of waiting and anxiety, the settlers indulged in great rejoicing.

#### SUMMARY.

1. The cattle trade becomes a factor of Kansas commerce.
  2. John J. Ingalls re-elected United States Senator in 1879.
  3. Prohibition amendment adopted in 1880.
  4. The railroad system is greatly extended.
  5. The counties of Rice, Barber, Ford, Ness and Comanche were organized in 1872.
  6. The American Pomological Society awards the highest medal to Kansas fruit.
  7. Edward Everett Hale attends the celebration, at Lawrence, of 25th anniversary of the Kansas-Nebraska Act.
  8. The first ten years of Kansas history a prophecy of future greatness.
  9. John P. St. John re-elected Governor in 1880.
  10. The Osage ceded lands opened for settlement in March, 1880.
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## CHAPTER XXV.

### AFTER TWENTY-FIVE YEARS.

**254. Death of Famous Men.**—On the 27th of July, 1881, General James G. Blunt died in Washington City. He was the only Kansas officer who attained the rank of Major-General in the war for the Union. He was born in Maine, and was in his early life a sailor. Prior to the coming of the great war he was a country doctor in Kansas. He was a bold and hardy soldier, and distinguished himself at the battle of Prairie Grove, where he reinforced General Herron at the critical time, and fought an overwhelming force till darkness shut down on a field on which lay 4,000 dead, and wounded men. In the campaign against General Sterling Price, in October, 1864, he fought, with a little force of cavalry, the Eleventh and Fifteenth Kansas, and the First Colorado, an advancing army of 28,000 men, and held on for three days till reinforcements came, and the border was saved.

General Robert B. Mitchell died in Washington City on the 26th of January, 1882. He commanded the Second Kansas at Wilson's creek, and was wounded there. Within a month, Martin F. Conway, First Representative in Congress of the State of Kansas, died, also in Washington. General George W. Deitzler, of the First Kansas, at Wilson's creek, died at Tucson, Ariz., in January, 1884. Colonel Charles R. Jennison died in Leavenworth, June, 1884.



Thus passed away, within a brief time, five Kansans of the brave days, and but one at home.

**255. Quarter Centennial.**—Kansas, a quarter of a century after, was not forgetful, but remindful. The Quarter Centennial of the admission was observed at Topeka, January 29, 1886, by an "all day" meeting of three sessions, presided over respectively by Governor John A. Martin, Charles Robinson, First Governor of Kansas, and Colonel D. R. Anthony, President of the State Historical Society.

**256. Reunion at Kansas City.**—There was a reunion at Kansas City, Kan., July 29, 1882, of the surviving members of the Wyandotte Constitutional Convention. At this first meeting of the constitution builders since their adjournment in 1859, it was discovered that but twenty-nine were living, but nineteen still residents of Kansas, and but ten were present. The proceedings were of the highest interest, and a permanent association was formed.

**257. Election of 1882.**—In November, 1882, occurred the election of George W. Glick as Governor, D. W. Finney, Lieutenant - Governor; James Smith, Secretary of State; W. A. Johnston, Attorney-General; David J. Brewer, Associate Justice; H. C. Speer, Superintendent of Public Instruction; Samuel T. Howe was elected as Treasurer, and E. P. McCabe, Auditor. The entire congressional delegation was re-elected, and E. N. Morrill, B. W. Perkins, Lewis Hanback and S. R. Peters were elected members at large.



Governor George W. Glick.

The Legislature of 1883 re-elected Preston B. Plumb United States Senator, and elected T. Dwight Thacher for a second term as State Printer.

**258. Kansas Aids the Suffering.**—Kansas having,



T. Dwight Thacher.

in her earlier and dryer days, freely received, has in her more prosperous years freely given. A destructive flood prevailing in the Ohio valley in the spring of 1884, a train of thirty-one cars, loaded with corn by Sedgwick county farmers, was dispatched from Wichita. The cars were decked with flags and banners gay, and contained 12,400 bushels, which brought \$8,500 at

Cincinnati. The Sedgwick county train was followed by the Butler county train, thirty cars of 400 bushels each, which sold for \$8,000. A G. A. R. Post at Fort Scott shipped a load of corn to Richmond, Va., in aid of a Confederate Home. This was well done, but Kansas did not miss a little corn more or less. The corn crop of 1885, which was not a remarkable corn year, was estimated to be worth more money than the entire gold and silver product of Colorado, California and Nevada.

**259. Kansas Day.**—It became evident with the growth of the State that the feeling of State pride pervaded its older and younger population. The observance of the 29th of January as "Kansas Day" became, in the early 80's, a custom in the schools of the State. In 1882 the observances in the public schools of Wichita and Junction City were matters of State remark, and since that time the "Kansas Day" celebration has become well nigh universal.

On "Kansas Day" elaborate programmes are prepared, essays are read on various periods in the history of Kansas; Kansas songs are sung, Kansas poems recited, the favorites being the "songs of freedom," with which, in the early and doubtful days, Whittier, Lowell, Bryant and others were inspired, and the verses, ranging from "grave to gay," descriptive of the Kansas earth and sky and life, which have been evoked from Kansas writers. On these festive occasions the walls are decorated with the national colors; the motto of the State in evergreen letters, and everywhere the sunflower.

**260. Kansas Sunflower.**—Without any statutory provision or formal adoption as the "State flower," there came about through the "vox populi" the selection of the sunflower as the emblem, and the "Sunflower State" as the familiar and household name of Kansas. The sunflower is a pioneer in Kansas, coming with the first breaking of the soil by the passing wheel or other disturbing agency. The "flower" sprang up on either side of the Santa Fe trail for 800 miles. The sunflower comes wherever in Kansas man comes to sow or reap, and marks the time and place, and if the claim is abandoned, the sunflower grows within the roofless walls of sod. The sunflower is the badge worn by Kansans on great occasions at home and abroad.



Governor John A. Martin.

*begin* **261. Election of 1884.**—In 1884 John A. Martin was chosen Governor; A. P. Riddle, Lieutenant-Governor; E. B. Allen, Secretary of State; E. P. McCabe, Auditor;

Samuel T. Howe, Treasurer; S. B. Bradford, Attorney-General; J. H. Lawhead, Superintendent of Public Instruction; A. H. Horton, Chief Justice; W. A. Johnston, Associate Justice. At this election J. A. Anderson, E. H. Funston, Thomas Ryan, E. N. Morrill, B. W. Perkins, Lewis Hanback, and Samuel R. Peters were elected to Congress.

**262. State Institutions.**—Between the years 1880 and 1890 many additions were made to the number of State institutions. In 1881 the State Asylum for Imbeciles was established at Lawrence, and in 1886 was removed to Winfield.

The twenty-first session of the Kansas Legislature, which assembled in January, 1885, was famous for the number of acts and measures adopted. This Legislature re-elected John J. Ingalls United States Senator, and re-elected T. Dwight Thacher, State Printer. The Soldiers' Orphans' Home was located at Atchison in 1885 and opened in 1887. The State Reform School for Girls, at Beloit, began its work in 1889. In the same year the State Soldiers' Home was established near Dodge City, the United States granting the ground and buildings at old Fort Dodge for the purpose. The State Reformatory was located at Hutchinson, in 1886, though not ready for the reception of inmates until 1895. On the 15th of September, 1884, the Haskell Institute was opened by the United States Government at Lawrence, with twenty-three students, and has since taken a first rank among the schools maintained by the Government for the education of the Indians. It received its name in honor of Dudley Chase Haskell, who died December 16, 1883, a representative of Kansas in the Congress of the United States. The

western branch of the United States Soldiers' Home was located three miles below Leavenworth, in 1884. It has grown in buildings, appointments, and number of inmates to be one of the most important military asylums in the country. Its management and the measure of its success are matters of deep interest to the people of Kansas.

**263. Kansas at New Orleans.**—Kansas, at the New Orleans Exposition, took first prizes on wheat, corn, flour, sorghum, sugar, apples, and cattle; sixty-five first and second prizes, leading every State in the Union.

**264. Soldier Census.**—The Legislature of 1885 made provision for a census of the soldier population of the State. It was discovered that not far from 100,000 Kansans had been enrolled in the army of the Nation. Soldiers' reunions became the most popular festivals.

**265. National Cemetery.**—The National Cemetery at Fort Leavenworth was dedicated May 30, 1886, with military pomp and splendor.

**266. Financial Speculation.**—The decade, 1880 to 1890, was a fairly prosperous period for Kansas, but not, perhaps, so steady and unbroken in its advance as 1870-1880. There was in the first five years a general prosperity which led up to a "boom" in the larger towns and cities, and smaller towns as well, for which, when it was over, there seemed to be no reasonable explanation. Extensive additions, spreading over a great area, extending in some instances miles from the business centres of the towns and cities, were laid out; real estate was held and sold at stupendous prices. Bonds were profusely issued for all sorts of municipal improvements. Waterworks were voted where the natural supply

of water was hardly appreciable, and hydrants arose amid the prairie grass at immense distances from human habitations. In cities of the minor class, massive and imposing business blocks were erected worthy of the solid and long established commercial centres of the country. In the course of twelve months, extending into 1886, ninety-four new towns were chartered. In ten months of the year 1886 453 railroad charters were filed in the office of the Secretary of State, and by the end of the year 1,520 additional miles of railroad track had been laid and Kansas led the States. Railroad bonds were voted almost every day in towns, cities and counties.

**267. Captain Payne and Oklahoma.**—In 1880, Captain David L. Payne appeared as the original “Oklahoma boomer.” Captain Payne was an old-time and well-known citizen of Kansas. He had settled in Doniphan county in 1858. He enlisted early in the war, and served three years as a private soldier in the Tenth Kansas Volunteers, and subsequently was commissioned a captain in the Eighteenth Kansas Cavalry to serve against the Indians; he later joined the Nineteenth Kansas Cavalry and took part in General Sheridan’s campaign against the savages in 1868. Captain Payne was elected a member of the Kansas Legislature from Doniphan county in 1865; was Postmaster at Fort Leavenworth in 1867, and was chosen a member of the Kansas House from Sedgwick county (where he had established “Payne’s Ranch” in 1870), in the session of 1872. In 1879, while an employe of the Government in Washington, he made the discovery, as he believed, that the lands in the western part of the Indian Territory which had been ceded by the Creeks to the Government for occupation by other

civilized tribes, and by the freedmen, formerly slaves in the Territory, but had not been so occupied, belonged to the public lands of the United States, and subject to entry under the public land laws. Beginning in 1880, parties of "boomers," as they came to be called, marched into the coveted Territory on an average about twice a year under the command of Captain Payne. They were as often arrested and turned out by the United States troops, and held to appear in the United States courts, but nothing suppressed the boomers, and the name of their chief and his portrait, as a far-famed western scout, adorned all the walls. On the 28th of November, 1884, David L. Payne dropped dead of heart disease at Wellington, Kan. But his work prospered in the hands of Captain Couch and other lieutenants, the agitation was transferred to Congress, and the opening became first a probability and then a certainty.

**268. Railroad Strike.**—In March, 1886, began, on the line of the Missouri Pacific Railway in Missouri and Kansas, the most extensive strike in the history of railroads in those States. The men in the operative department of the road left work at Sedalia on the 6th of March, and thence the strike spread to all the centres of extensive railroad employment, as Wyandotte, Atchison and Parsons. On the 30th of March, thirty engines were disabled at Atchison. On the 24th of April, a freight train was wrecked at Wyandotte, and the engineer and fireman were killed. Governor Martin held consultations with Governor Marmaduke of Missouri, endeavored to bring about an arrangement between the striking men and the railroad companies, and had great hopes of success, but, in consequence of the disturbed conditions at Parsons, ordered Colonel L. L.

Patrick, of the First Kansas Militia, to call out companies from Olathe, Humboldt, Columbus, Girard, Ottawa, Fort Scott and Garnett. The strike was declared off and ended in the last of April. It caused much suffering, both to the working people and the general public. It was apparently under the direction of a man named Martin Irons, who disappeared from the control of affairs after the strike was over. The original cause was the discharge from employment of a foreman in the Missouri Pacific car shops, at Marshall, Tex.

**269. Amos A. Lawrence.**—The announcement of the death, at Nahant, Mass., of Amos A. Lawrence, was received with unusual tokens of respect at Lawrence, a city named in his honor. Mr. Lawrence was one of the organizers of the Massachusetts Emigrant Aid Society. His name was given to the new Free Soil settlement in the autumn of 1854. In 1856, at a meeting held in Lawrence to institute a university, Mr. Lawrence was chosen a trustee. A gift of \$10,000 in notes by Mr. Lawrence for educational purposes, and which was turned over to the Kansas State University on its location at Lawrence, was the first endowment of the institution.

Amos Lawrence was regarded, in a sense, as the father of Lawrence and of the University. The manufacturing city of Lawrence, Mass., was also named in his honor, and he was the founder of Lawrence University at Appleton, Wis.

**270. Election of 1886.** In November, 1886, John A. Martin was re-elected Governor; A. P. Riddle, Lieutenant-Governor; E. B. Allen, Secretary of State; S. B. Bradford, Attorney-General; J. H. Lawhead, Superintendent of Public



Instruction; D. M. Valentine was elected Associate Justice; J. W. Hamilton, Treasurer, and Timothy McCarthy, Auditor; Congressmen Morrill, Anderson, Funston, Perkins, Ryan and Peters were re-elected, and E. J. Turner was elected from the Sixth District.

#### SUMMARY.

1. Death ravages the ranks of the old soldiers and pioneers of Kansas.
2. The Quarter-Centennial of the admission of Kansas is celebrated at Topeka.
3. A reunion of the surviving members of the Wyandotte Constitutional Convention is held at Kansas City, Kan.
4. In 1882, George W. Glick was elected Governor.
5. Kansas extended aid to sufferers by flood in the Ohio valley.
6. "Kansas Day" is generally observed by the schools, and the sunflower is adopted as the State emblem.
7. John A. Martin was elected Governor in 1884.
8. To the list of State institutions were added, during the years 1880-1890, the Asylum for Imbeciles, the State Soldiers' Home, the Reform School for Girls, the Soldiers' Orphans' Home, and the State Reformatory. The United States established the National Soldiers' Home and Haskell Institute.

## CHAPTER XXVI.

### THE HAPPENINGS OF 1887.

#### **271. Governor Martin's Opinion on Indebtedness.—**

Governor John A. Martin, on the opening of the Legislature of 1887, took occasion to remark in his message: "The steady and enormous growth of bonded indebtedness amply justifies alarm. It seems to me that in view of the facts and figures presented, it is the imperative duty of the Legislature to repeal at once every law authorizing the creation of municipal indebtedness for any purpose whatever, except, perhaps, the building of schoolhouses."

**272. Speculation.**—On the 1st of January, 1887, the great Kansas "boom" was booming, and it continued for many months. On that date it was announced that the manufactures of Wichita, the past year, had yielded \$570,000; the amount paid in mercantile salaries had reached \$1,910,180; her bank clearings were \$18,870,598; the wholesale trade was \$15,076,000; the real estate sales \$16,793,527. The list of real estate sales made a newspaper column a day. Later in the season ninety-five acres of land near Wyandotte were sold for \$450,000.

**273. Improvements.**—In Topeka, in the year 1887, 2,500 houses were erected, and \$1,000,000 were devoted to public improvements. Eighty-one newspapers were started in a year. Natural gas was struck at Fort Scott, and many other points, and Paola indulged in a great celebration.

The "Santa Fe," the Missouri Pacific and Rock Island built through and through the State.

**274. State Buildings Remodeled.**—"Syndicates" were organized to deal in real estate in many of the towns, and waterworks and electric light plants and street railways became numerous. During the "boom" period, the State fully kept up with the general and public desire for improvement. In that time the State University added to its buildings "Snow Hall of Natural History," costing \$50,000. The Institution for the Deaf and Dumb erected three buildings costing \$82,000. The Asylum for Idiotic and Imbecile Youth, at Winfield, completed a new building at a cost of \$25,000. On the two insane asylums at Osawatimie and Topeka, in the four years closing with the year 1888, there were expended \$353,000.

The State Capitol, begun in 1866, grew apace. The old east wing was remodeled at a cost of \$140,000. In 1879 the west wing was begun, and occupied in 1881, and completed in 1882. Work was begun on the central building in 1881, and still continues. A contract was let for a new wing of the State Normal School building at Emporia. The substantial completion of a building for a State Reformatory, at Hutchinson, was announced, but some years were to elapse before its occupation. The State continued its interest in tree culture, and established a forestry station near Fort Dodge.

**275. State Reformatory.**—The idea of a State Reformatory was suggested to the Kansas State Board of Charities by the celebrated Reformatory at Elmira, N. Y. The aim and object of the institution being the reformation rather than the punishment of youthful criminals between the ages of

sixteen and twenty-five; boys under the limit of age being sent to the State Reform School at Topeka. The system at the Reformatory implies a graded course of treatment, the condition and comfort of the prisoner being made dependent on his conduct.

✓ **276. Educational Institutions.**—The schools and other public institutions of the State were remembered by communities and by individuals. The library of the Soldiers' Home was enlarged by 2,000 volumes, collected for it before his death by Henry Ward Beecher. The Catholic building and grounds at Atchison are valued at \$500,000. On the 5th of April, 1887, the Kansas Wesleyan University at Salina was dedicated.

In March, ground was broken at Sterling for the Cooper Memorial College. In July Bethany College, at Lindsborg, announced the completion of a new and splendid building. A German Baptist (Dunkard) College was located at McPherson. The Hiawatha Academy at Hiawatha was established. The Central Normal College of Great Bend was established by Professor Wm. Stryker.

Bethel College, located at Newton, is one of two Mennonite colleges in the United States. St. John's Military School at Salina, a school for boys, under the control of the Episcopal Church, was established in 1887.

The older and later educational institutions of the State, as Baker University, Highland Academy, Ottawa University, the College of Emporia, Midland College at Atchison, Southwest Kansas College at Winfield, Fairmount College at Wichita, St. John's Lutheran College at Winfield, and many others, felt the impetus of this period.

**277. Inauguration Ceremonies.**—On the 20th of January, 1887, occurred the second inauguration of Governor Martin. The ceremonies were attended by Governors Robinson, Carney, Osborn, Anthony and St. John. Governors Glick, Crawford and Harvey were absent.

**278. Extension of Suffrage.**—The Kansas Senate, on the 28th of January, 1887, and the House, on the 11th of February, passed the municipal suffrage bill, which conferred on women in Kansas at school, bond and municipal elections, the same right to vote possessed by men. The bill received the signature of Governor Martin on the 14th of February. About 26,000 women voted at the following spring election, and Mrs. Medora Salter was elected Mayor of Argonia, perhaps the first woman in the world to hold the office.

**279. Labor Legislation.**—The Legislature, which adjourned on the 5th of March, legislated in regard to the arbitration of labor controversies, limited the amount of bonds to be issued to railroads, and submitted two amendments to the State Constitution; one to strike out the word "white," and one "concerning the purchase, enjoyment and descent of property." Clifford C. Baker was elected State Printer.

**280. Centre of Population.**—The centre of population of the State, which in 1865 was in the western part of Douglas County, was announced to be, in 1887, in the northwest part of Marion County.

In the year 1887, 812 schoolhouses were built in Kansas.

**281. Mrs. Northrup's Gift.**—It was made known, through the Historical Society, that by a contribution of \$1,000 by Mrs. Margaret Northrup, of Brooklyn, N. Y., a

pew for citizens of Kansas had been secured forever in the Metropolitan M. E. Church, in Washington, D. C.

The largest individual land owner in Kansas is said to be Mr. James P. Pomeroy, of Atchison, who owns 60,000 acres.

**282. Explosion Near Fort Scott.**—An explosion on the 25th of January, on a Missouri Pacific train near Fort Scott, caused probably the loudest and most frightful noise ever known in Kansas. Two hundred cases of giant powder exploded at a single blast. But one man, a brakeman, was killed, but houses were shaken throughout Bourbon county, window panes were broken in Nevada, Mo., twenty-five miles distant, and \$10,000 worth of plate and other glass was destroyed in Fort Scott.

**283. Remarkable Fossil Discovery.**—Mr. S. S. Hand sent to Chancellor Snow, of the State University, a fossil fish, found in Hamilton county, and Professor Snow wrote: "My view about your fine fish is, that it lived and died when what is now Hamilton county, Kan., more than 3,000 feet above the present sea level, was under the salt water ocean. Remains of fishes, sharks and great sea monsters are found abundantly in the rocks of Western Kansas, especially along the banks of the Smoky Hill river and its branches. In fact, the ocean covered the entire western portion of the United States. The Rocky Mountains were not upheaved when your fish lived and died."

Kansas is an attractive field for the labors of the paleontologist, especially in the Niobrara formation in Rooks, Ellis and Trego counties. Of the thirteen fossilized birds of the North American continent and Europe, catalogued in 1873, seven species were found in Kansas. Of saurians, or lizards, thirty-one are found in the small strip of the

Niobrara in Kansas to four in all of Europe. In the ocean which covered what is now Kansas, sharks swam numerously, as many as three hundred of their teeth having been found in a space of thirty inches square. The fossil beds of Kansas have been intelligently and diligently searched for many years, and invaluable specimens have been preserved in the collections of the State University and other Kansas institutions of learning, and of Yale University, where they have attracted the attention of the scientists of the world.

#### SUMMARY.

1. Governor Martin advised the repeal of laws authorizing the creation of municipal indebtedness.
2. In 1887 the "Kansas Boom" was at its highest.
3. Snow Hall was built, the State Reformatory was completed, new buildings were added to the Deaf and Dumb Asylum and the Imbecile Asylum; State Capitol remodeled.
4. Large number of colleges established and 812 schoolhouses were built.
5. On February 14, 1888, the municipal suffrage bill became a law.
6. Two amendments to the Constitution were submitted.
7. The center of population was announced to be in Marion county.

## CHAPTER XXVII.

### A PROSPEROUS YEAR.

**284. Recovery.**—The year 1888 was a year of recovery, in an agricultural sense, from the disasters of 1887, a year of drought in Kansas and throughout the Western States. These periods of recovery have often been noticed in Kansas history. The “bad years” in the first thirty years of Kansas, viz., 1860, 1868, 1870, 1874, and 1887 were followed by seasons of uncommon fruitfulness.

**285. Mexican Pilgrimage.**—The passage through the State, by rail, of a party of 250 Mexican people on a pilgrimage to Rome, was a reminder of the changed order of travel and transportation. Such pilgrimages had not been unknown in Mexico before, but had been undertaken entirely by sea from Mexican ports. These pilgrims recognized the opening of a great continental route through the United States via Kansas, eating, drinking, sleeping, and assembling in the ears for their devotions as they journeyed.

**286. Disappearance of the Buffalo.**—It was announced that the last buffalo remaining in Kansas was sold by Mr. C. J. Jones to a party in New York, and was to leave the State. The event created but a sentimental regret. The disappearance of the buffalo, which existed in Kansas in such numbers, even after the settlement of the State had begun, as to delay the passage of railroad trains, was regarded like the vanishing of the Indian, as inevitable and



not to be deplored. The buffalo served a purpose in earliest days by furnishing his meat, hide and bones for the temporary uses of the pioneer, but the latter found no difficulty in subsisting without them after the supply was withdrawn. Much more of a loss than the buffalo himself was that of the buffalo grass, which formed the pasturage of countless thousands of these animals both winter and summer. This began to give way to a coarser and less nutritious herbage with the disappearance of the tramping herds. On the other hand, it was claimed by competent observers that the earth became more absorptive of moisture and responsive to cultivation. The disappearance of the buffalo wallow, the prairie dog town, and the botanic family of the cacti, marked the surrender of the land to fertility and civilization.

**287. Death of Judge Samuel D. Lecompte.**—In April, 1888, died in Kansas City, Mo., Judge Samuel D. Lecompte, first Chief Justice of Kansas Territory, appointed by President Pierce, in 1854. Judge Lecompte's name was prominent in the angry discussions of that troubled time, yet he lived in peace in Kansas for many years afterward, in the midst of the quieted disputants, and died at the age of seventy-four.

**288. Thomas Carney.**—On the 30th of July, Thomas Carney, second Governor of Kansas, and the first to fall out of the line of Kansas chief magistrates, was buried in honor at his long-time home, Leavenworth. Governor Carney was born in Delaware county, Ohio, August 20, 1827. He came to Leavenworth in 1858 and became immediately engaged in extensive mercantile business. He was elected Governor in 1862, in the midst of the Civil War, and was one of the Kansas "War Governors." At a critical

period in the financial history of the State he pledged his private fortune to preserve the public credit.

**289. Stevens County Difficulties.**—In July, 1888, Governor Martin issued his proclamation organizing the county of Greeley, with Tribune as the county seat. This completed the organization of Kansas counties, 106 in all. Subsequently, the county of Garfield was attached to Finney county, and the number reduced to 105.

In the last days of July, information reached Topeka that the troubles in Stevens county had again broken out in an aggravated form. Brigadier-General Myers and Attorney-General Bradford were sent to the county and learned that Sheriff Cross, of Stevens county, and a party of four men belonging to the Woodsdale faction, had gone over into the section known as No-Man's Land, and coming to the camp of some parties making hay, had asked permission to lie down and sleep. While thus reposing, they were surprised by a party of fourteen men from Hugoton—Woodsdale and Hugoton being rival towns—and Sheriff Cross and three of his men were killed and a fourth wounded.

**290. Militia to Preserve Order.**—The county was found in a State of great excitement, and the Second Regiment of Kansas militia was ordered to the county to preserve order.

Six men were arrested at Hugoton by the United States Marshal, who accompanied the troops, on complaint of Samuel N. Wood, and arraigned before the United States Commissioner, at Topeka, and released on bail. It was decided that No-Man's Land was not within the jurisdiction of Kansas, and they were subsequently brought to trial at Paris, Tex.

**291. Effects of Stevens County War.**—The “Stevens county war,” which was destined to have other evil effects, caused much indignation and disgust throughout the States. “County seat fights” with accompaniments of fraud and violence, had not been unknown in Kansas, but that the contentions of rival villages should be carried to the point of murder, and necessitate the interference of the arm of the State, was felt to be a great hardship and disgrace.

**292. Haskell Institute.**—In September, 1888, Governor Charles Robinson resigned the Superintendency of the Haskell Institute, at Lawrence, which, under his care, had attained a high state of efficiency. Additions were made to the institution, increasing its capacity by 300 more students.

**293. Natural Resources.**—The search for gas and other natural resources continued. Professor Robert Hay estimated, in October, 1888, that \$150,000 had been expended in the various borings for coal, oil and gas. At some points the search proved successful. In September, natural gas was used for lighting and heating the State Insane Asylum at Osawatomie. A mill at Humboldt uses gas for fuel, and the boundaries of the natural gas belt in the State began to be defined.

In 1888 the first salt was made at Kingman, and it was claimed that it would require ten years to exhaust an acre of the natural rock salt supply at Hutchinson. One natural resource after another was discovered, claimed or developed; soapstone here, gypsum there. At one place it was reported that in boring for gas, coal and oil had been discovered.

**294. Mine Disaster.**—On the 19th of November, happened in Cherokee county, the most fatal mine disaster in

the history of Kansas. On the morning of that day 164 miners were lowered in Frontenac mine, No. 2, of the Santa Fe Coal Company. At the noon intermission, the shots were fired in safety, and the miners descended for their afternoon work. At half past five, arrangements had been made for firing, but before a man had been hoisted there came a frightful explosion. At first it was believed that no one had escaped, but the final count placed the loss of lives at thirty-nine, with a large number of burned and wounded. The explosion was deemed by the miners the result of carelessness or incompetence on the part of the State Mine Inspector, and a large convention of miners demanded his removal.

**295. Rev. Innocent Wolf an Arch Abbot.**—The Right Rev. Innocent Wolf, of Atchison, was raised to the position of Arch Abbot of the Benedictine Order in the United States. This Order is one of the oldest and most powerful of the religious orders in the Catholic church, and its establishment in Kansas one of the most important in the United States.

**296. Railroads in 1888.**—In 1888 it was noted that the present system of railroads in Kansas would make twenty lines running parallel the length of the State. The State is 400 miles long, and there are 8,000 miles of railroad. Perhaps it was in view of the extent of Kansas railroad facilities that fewer railroad bonds were voted by Kansas, in 1888, than in any previous year of its history.

**297. State Industrial School.**—The city of Beloit secured, in January, 1888, the Industrial School for Girls, established by the Woman's Christian Temperance Union, donating to the institution eighty acres of land. It was

opened temporarily in February. The school became a State institution by the action of the Legislature of 1889.

**298. Prohibition Law Strengthened.**—The Prohibition Law received additional judicial sanction by the affirmation by the State Supreme Court of the constitutionality of the Metropolitan Police Law.

**299. Death of David Ware.**—David Ware, for twenty-six years janitor of the Kansas State House, died in Topeka, in September, 1888. He was born a slave in Missouri, and came to Kansas during the war. He took charge of the Capitol on its first occupation by the State, and continued its custodian to the close of his life. His fidelity and honesty were unimpeachable. His funeral was attended by the officers of the State, and his character was made the subject of eulogy by the Governor.



David Ware.

**300. Gift to the Kansas State Medical Society.**—Mrs. Jane Stormont, widow of Dr. D. W. Stormont, a pioneer physician of Topeka, gave to the Kansas State Medical Society \$5,000, to be used in maintaining a library of medical books in connection with the State Library.

**301. Election of 1888.**—In November, 1888, occurred the National and State election. The vote of Kansas was given to Benjamin Harrison, who received 182,356 votes to 102,725 for Grover Cleveland. For Governor, Humphrey, Republican, received 181,318 votes; Martin, Democrat, 107,822; Elder, Union Labor, 36,230; Botkin, Prohibitionist, 6,452; plurality for Humphrey, 72,405.

The State officers chosen in 1888 were L. U. Humphrey, Governor; Andrew J. Felt, Lieutenant-Governor; William Higgins, Secretary of State; J. W. Hamilton, Treasurer; Timothy McCarthy, Auditor; L. B. Kellogg, Attorney-General; George W. Winans, Superintendent of Public Instruction; William A. Johnston, Associate Justice of Supreme Court. The entire Congressional delegation chosen in 1886 was re-elected in 1888. The Republicans carried every county in the State for President, and all the counties, save Leavenworth and Ellis, for Governor.



Governor L. U. Humphrey.

**302. Relics.**—The Historical Society's collection was increased by some interesting relics of ancient Kansas. From a mound near Lindsborg was obtained, by one of the professors in Bethany College, a fragment of Spanish chain mail, dating back, perhaps, to Coronado; and from a point on the Arkansas river, near Garden City, a peace medal, bearing on one side a medallion of President Van Buren, and the words "Martin Van Buren, President of the United States, A. D. 1837." On the obverse, a soldier's hand clasping the hand of an Indian, over which are a tomahawk and pipe crossed, and the words, "Peace and Friendship."



Chain Mail.

The piece of chain mail is interesting as being the only trace or relic ever found within the limits of Kansas of

Spanish occupation. While the history of the country as a civilized possession commonly begins with the march of Coronado, and Spain declared sovereignty even after the Spanish flag had been lowered at St. Louis on the cession of Upper Louisiana, March 9, 1804, as Lieutenant Pike found it flying at the Pawnee village in Kansas in September 1806, this bit of rusty armor is all remaining to show that the Spanish arms were ever carried into the limits of Kansas.

#### SUMMARY.

1. The year 1888 marked a revived agricultural prosperity in Kansas.
2. Judge Samuel D. Lecompte, First Chief Justice of the Territory, and Thomas Carney, died in the year.
3. County seat contests result in bloodshed—militia called out to preserve order.
4. Governor Robinson resigned the Superintendency of Haskell Institute.
5. Disastrous mine explosion in Cherokee county, resulting in the loss of many lives.
6. The Industrial School for Girls established at Beloit.
7. David Ware, Janitor of the Capitol, died in Topeka.
8. Mrs. Jane Stormont gave \$5,000 to State Medical Society.
9. Benjamin Harrison received the electoral vote of Kansas.
10. Lyman U. Humphrey elected Governor.
11. Valuable relics of Spanish and Indian occupation found.

## CHAPTER XXVIII.

1889.—THE DEVELOPING RESOURCES.

**303. Messages to the Legislature.**—The Legislature of 1889 assembled on the 8th of January, and the House was organized by the choice of Captain Henry Booth as Speaker, and H. L. Millard as Clerk. Governor John A. Martin delivered to the Legislature a retiring, and Governor L. U. Humphrey an inaugural, message. The attention of the Legislature was especially directed to the condition of the debtor classes, and the need of legislation in their behalf. Governor Martin called attention to the mortgage laws. He said: "It should require something more than a mortgage to steal a man's farm. Our chattel mortgage laws invite outrages on property rights, that are as flagrant as grand larceny, and the wrong and injustice that has been done under the shield of these laws has been a disgrace to civilized government."

**304. Legislative Acts.**—On the 23d of January, 1889, the joint session of the Legislature elected Preston B. Plumb United States Senator from the State of Kansas, for a third term, by a unanimous vote. Clifford C. Baker was re-elected State Printer. The most noticeable acts of the Legislature were the creation of the office of Commissioner of Elections, to be appointed by the Governor in cities of the first-class, for a term of four years; an Act authorizing cities and townships to issue bonds and to subscribe stock



for sugar manufactories; to increase the amount of bounty to be paid on sugar manufactured in Kansas from \$15,000 to \$40,000.

There was an Act, also, appropriating \$36,000 for buildings for the G. A. R., at Ellsworth; an appropriation to establish a State Soldiers' Home, whenever Congress shall give one of the National Military reservations as a site therefor. The Legislature also passed an Act, which went into effect May 25, 1889, reducing the rate of interest by contract from twelve to ten per cent, and the legal rate from seven to six per cent.

**305. Manufacture of Sugar.**—The industry which most engaged the energies of Kansas in 1889 was the manufacture of sugar from the sorghum cane. For several years the attempt to manufacture sugar at a profit from the native cane had been carried on, and factories erected at various points. The United States Agricultural Department had been enlisted, and Government chemists aided in the experiments. The result of a series of costly experiments at Ottawa, Sterling, and other places, was the discovery and admission that sugar could not be made from the sorghum cane in paying quantity by the "roller" process employed in the treatment of the true, or Louisiana cane, but the showing of a series of trials at Fort Scott was claimed as demonstrating the efficiency of the "diffusion" process. The Legislature offered a bounty of two cents a pound on sugar manufactured in the State, to the amount of \$15,000. This bounty was afterwards reduced to three-quarters of a cent per pound, but the total amount raised to \$40,000. In 1889, sugar factories were built at Ness City, Meade Center and Liberal, in addition to a large

number already in existence. In September, 1889, Jeremiah M. Rusk, United States Secretary of Agriculture, visited Kansas, and published that the manufacture of sugar was a success beyond his anticipations; that at Conway Springs the product of sugar had reached twelve per cent, a profit of ten per cent. The sugar crop of 1889, on which the State bounty was paid amounted to 1,293,274 pounds, and in 1890 to 1,371,930 pounds.

**306. Bonds Voted.**—Bonds were voted by municipalities in aid of sugar mills and refineries. The aid proposed reaching, in some instances, \$100,000 in bonds. In time, however, a plan to bond a large number of southwestern counties, by townships, was denounced as fraudulent, and checked to a considerable extent further bond issues in aid of the sugar manufacture. The manufacture was continued for some years. In 1892 but two sugar mills, those at Medicine Lodge and Fort Scott, received the State subsidy, the product being 998,100 pounds of sugar. In the course of events the Government and State aid was withdrawn. A very large amount of useful information was obtained in regard to the nature and uses of the Chinese cane, and on other points of interest, for which a good price was paid.

**307. Salt Industry.**—The salt making industry, which had received a considerable impetus in 1887, and, in fact, had been carried on to some extent from the beginning of the settlement of the State, but which produced but 13,000 bushels in 1880, was enormously increased in 1889. Early in the year, Senator Plumb made the statement that "the development of the salt industry in Kansas has had the effect of reducing the price of salt in the Mississippi valley west of Kansas, twenty-five per cent, from the prices pre-

vailing twelve months ago." In January, Wellington organized its eighth salt company. Hutchinson already had ten salt plants in operation, with more in course of construction. McPherson had made a promising start, and Kingman, Lyons, Anthony, Sterling, Great Bend, and other points were engaged in the manufacture. The salt deposit was reached at depths varying from 420 to 925 feet.



Mill at Junction City, Kan

**308. Corn.**—The year 1889 was the greatest "corn year," so far, in the agricultural annals of the State, the figures being 6,820,693 acres, with a yield of 273,988,321 bushels; valued at \$51,649,876.18; an average yield of 40.15 bushels to the acre. This inspired a Kansas writer to write of Kansas corn:

"Corn is the sign and seal of a good American agricultural country. Corn is an American institution; one of the discoveries of the continent. It is of the American West. It reaches its best estate between the Alleghanies and the Rockies. It was known by the Indians, and to cultivate it was one of the few agricultural temptations which overcame their proud and haughty contempt for labor.

"Corn is the test. A good country, in a farming sense, is one that 'brings' good corn. If it will not do that, then it may be a good country for something else, but it is not an American farmer's country. It requires a long season, plenty of rain, a thorough-going sun that attends to business, but knows when to stop; a generous soil, and the best elemental treatment from the warm, soft day on which it is planted, till the 'frost is on the pumpkin and the fodder's in the shoe.' Hence, when you say that a given region is a good corn country, you have said it will raise anything that grows in the temperate zone.

"Corn makes the country and the people who live in it. It fattens hogs and cattle, and so fine-haired people, who live on cracked wheat and philosophy, claim that it has a coarseness about it that imparts itself to the people who eat it; but, for all that, it is the food of men who turn wildernesses to fruitful fields, span continents, and fight great battles.


"Kansas has corn, and so is in luck. Scoffers and ribalds talk about the Kansas man burning corn; and it is one of the merits of corn that it makes a good fire, but the Kansas man knows better than that. Everywhere in every farmer's dooryard is to be seen a great pile of red and white corn cobs, clean and bright, which burn like tinder. The

corn sheller goes around like the threshing machine, and shells the corn and piles up the cobs. The cob is a commercial fact. At Sedan there is a factory that turns out millions of cob pipes. The Kansas man can burn his cob or he can smoke it."

**309. Harbor Convention.**—In response to a call by Governor Humphrey, a convention of delegates from many of the Western and Southern States assembled at Topeka, October 1, 1889, to devise means for securing a deep-water harbor on the coast of Texas. 600 delegates responded, including Governor Thayer, of Nebraska, Governor Francis, of Missouri, seven ex-Governors, nine Congressmen, and many other men of prominence. Fifteen States and Territories were represented. United States Senator Plumb presided over the deliberations of the convention.

**310. Women Officials.**—In 1889 five towns elected women Mayors: Argonia, Oskaloosa, Cottonwood Falls, Rossville and Baldwin.

#### SUMMARY.

1. Governor Martin condemns the mortgage laws.
  2. Preston B. Plumb was unanimously elected United States Senator for a third term. The Legislature passed acts authorizing cities and townships to issue bonds, and subscribe stock for sugar manufactories; appropriated \$36,000 for G. A. R. building; reduced rate of interest by contract from ten per cent to six per cent.
  3. The manufacture of sorghum sugar was vigorously carried on.
  4. The salt industry became greatly augmented.
  5. The yield of corn averaged 40.15 per acre; the total crop being valued at \$51,649,676.18.
  6. Deep-water convention convened at Topeka, October 1, 1889.
  7. Five towns elected women Mayors.
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## CHAPTER XXIX.

### KANSAS AND OKLAHOMA.

**311. Opening of Oklahoma.**—In the early months of 1889 there was an evident increase in the interest felt in the opening of Oklahoma to settlement; the so-called boomers collected in large numbers, at points on the border, more especially Arkansas City and Caldwell. The active members of the boomer element continued to make raids into Oklahoma, and were as often removed by the military.

The progress of the Bill before Congress to open up Oklahoma for settlement, was followed with alternations of hope and fear. At last the suspense was ended by the proclamation of the President announcing the date of the opening of Oklahoma, and the regulations under which the 1,800,000 acres of land were to be taken.

**312. Preparation.**—The principal points from which the Strip was to be entered from Kansas were Caldwell, Hunnewell and Arkansas City.

The Strip was filled with people, and the night before the eventful day a line of camp fires shone from the Oklahoma boundary to the Kansas line. Everything was planned in advance. The Government functionaries were waiting in the land offices in Oklahoma. The town sites had been selected and named. Guthrie, destined to be the capital, named in honor of a citizen of Kansas, had its thousands of foreordained citizens, as did other town sites. In at least

one instance there was an announced candidate for Mayor of one of the future cities, the day before the "rush."

**313. The Rush.**—At noon, on the 22d of April, 1889, at sound of bugle came the instantaneous occupation of Oklahoma. The United States cavalrymen, drawn up in front of the multitude of vehicles, crowded with people, and a great host of horsemen, mounted for the most part on wiry prairie ponies, moved forward, wheeled to the right and left to clear the way, and the occupying wave, made up, as was estimated along the border, of 40,000 human beings, swept into Oklahoma. There was a moment of peril at the line, and then the mass opened out like a fan, and all was safe. From Arkansas City six great railroad trains, carrying 6,000 people, moved in the evening into the new country.

**314. Effect on Kansas.**—Kansas bore a great part in the opening and occupation of the Territory. It was estimated that the population of Kansas was diminished by 50,000. But Kansas is like the wondrous bush in the wilderness of old, burning, but never consumed. In the year 1889, which saw the opening of Oklahoma, half of the public lands taken in the United States were located in the States of Kansas, Nebraska, Dakota and Colorado. In 1888, the report of the Secretary of the Interior showed that 1,550,235 acres had been patented in Kansas.

**315. County Seat Difficulties.**—In January, 1889, the contention of Ingalls and Cimarron for the seat of justice of Gray county, rendered the presence of troops necessary. After three men had been killed, General Murray Myers, of the State troops, visited the disturbed locality. The controversy was finally ended by the order

of the Supreme Court compelling the removal of the county records to Cimarron.

**316. Monument of General Grant.**—On the 17th of September was unveiled at Fort Leavenworth the first monument erected in memory of General Grant. The statue is by Laredo Taft. George R. Peck delivered on the occasion an impressive dedicatory address.

**317. Kansas at the Paris Exposition.**—Kansas was represented at the Paris Exposition, and received a gold medal for the best agricultural report exhibited; a silver medal for the publications of the State Labor Department, and honorable mention for the exhibits of the Douglas and Conway Springs sugar manufactories.

**318. John A. Martin.**—On the 2d of October, 1889, John A. Martin, Tenth Governor of Kansas, died at Atchison. He came to Kansas from Pennsylvania, his native State, in 1857, his eighteenth year, and soon became editor and proprietor of the *Atchison Champion*, and was distinguished as a Kansas journalist, statesman and soldier from his early youth. He was Secretary of the Wyandotte Constitutional Convention, and a member of the first State Senate. He served in the Civil War as Colonel of the Eighth Kansas Volunteer Infantry, and commanded the First Brigade, Third Division, Fourth Army Corps, and the Third Brigade, First Division, Twentieth Army Corps. He was elected Governor in 1884, and again in 1886. He was buried with military and civic honors of the most imposing character in Mount Vernon cemetery, Atchison.

Among the many positions of honor and usefulness occupied by Governor Martin, was for years that of member



and Vice-President of the Board of Managers of the National Soldiers' Home. He was deeply interested in the Nation's provision for the care of its veteran soldiers and his counsel and effort was given to the establishment of the Western Branch, which was located near Leavenworth, and has grown to be one of the finest military asylums in the country or the world.

### SUMMARY.

1. The opening of Oklahoma on the 22d of April, 1889, is participated in by a great crowd of Kansas people.
2. The county seat fight in Gray county excites attention.
3. A monument to General Grant is unveiled at Fort Leavenworth.
4. Kansas is recognized at the Paris Exposition.
5. John A. Martin, tenth Governor of Kansas, dies at Atchison.



First Cathedral of Kansas.

## CHAPTER XXX.

### NEW POLITICAL FORCES.

**319. Reunion of the First Supreme Court.**—In 1890 began the fourth decade of the history of Kansas.

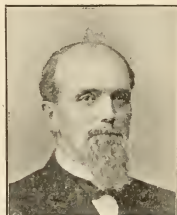
Early in the year 1890, the meeting of the Kansas State Bar Association was made the occasion of a reunion of the original Supreme Court of the State, composed of Thomas Ewing, Jr., as Chief Justice, and Samuel A. Kingman and Lawrence D. Bailey, Associate Justices. All the surviving judges who had been members of the court were present, and recollections were revived of the first session of the tribunal, held in an upper room of the "Gale Block," in Topeka, in 1861. It was remembered that the court was opened with prayer by Rev. Mr. Steele, of Topeka, and also that there were no causes ready for hearing. A very impressive address was delivered by ex-Chief Justice Ewing.

**320. Grippe.**—In January, 1890, Kansas was visited for the first time by the disease since known as the grippe, though at first spoken of as influenza, and said to have been introduced from Russia. In Atchison, 1,000 cases were reported.

**321. Honorable David J. Brewer, Associate Justice.**—On January 6, 1890, Honorable David J. Brewer was sworn in as an Associate Justice of the Supreme Court of the United States. Judge Brewer for years had occupied the District and Supreme Court bench of Kansas, and

his choice to the highest court of the nation was regarded as an honor paid the State.

**322. Retirement of Colonel A. S. Johnson.**—The land agents of the Atchison, Topeka & Santa Fe Railroad Company held a social session in Topeka, and presented Colonel A. S. Johnson, the Land Commissioner of the company, with a silver service on the occasion of his retirement. It was regarded as the signal of the withdrawal of the company from the great land selling enterprise carried on for nearly twenty years, and which had disposed of an empire. The system by which millions of acres passed from the hands of the Government, and of a corporation, into the possession and ownership of individuals, with scarcely a trace of friction, was a business miracle.



Colonel A. S. Johnson.

It was announced, in 1890, that Kansas Division, Union Pacific, was the only railroad company having any portion of its original grant for sale.

**323. Reverend Nehemiah Green.**—The Reverend Nehemiah Green died at Manhattan, January 13, 1890. Governor Green was a native of Ohio, born March 8, 1837. He came to Douglas county, Kan., in 1855, but returned to Ohio, where he entered the ministry of the Methodist Episcopal Church, and also the Union army. In 1865 he returned to Kansas, and in 1866 was elected Lieutenant-Governor. He assumed the executive chair on the resignation of Governor Samuel J. Crawford, to take command of the Nineteenth Kansas Cavalry, and served to the end of the term.

**324. The Farmers' Alliance.**—The Farmers' Alliance, which had attained prominence, in 1889, as a secret and social organization composed of farmers, and devoted to the interests of all agriculturists, and admitting to its membership men and women, became, in 1890, an active political force.

The impelling and controlling sentiment that led to the organization of the Alliance, was the belief that in the conduct of government, and the making of laws, the farming, and, indeed, the laboring classes, generally, had been neglected or discriminated against. That capital was allowed undue weight, that corporations were allowed full sweep for unjust, avaricious and oppressive disposition, and escaped their just burden of taxation; that the loaner of money had all the advantage in his transactions with the borrower; the mortgagee of the mortgagor; and that a Government originally designed on the basis of the freedom and equality of all men, had become perverted, and was conducted on the principle that "to him that hath shall be given, and from him that hath not shall be taken even that which he hath."

**325. Measures Urged.**—The Farmers' Alliance urged measures of relief for the debtor class; a stay law for a period of two years; various measures for the benefit of mortgagors, especially an overhauling of the provisions of the chattel mortgage law; for the help of the shipper and the passenger as against the railroad companies, who, it was claimed, were deriving an exorbitant income from their rates, at the expense of the public.

The Alliance asked for a law requiring land sold under foreclosure to bring the amount of the judgment and costs;

a law that should make the State Railroad Commissioners elective by the people; that should make United States Senators elective by the people, and various enactments and regulations that should give the people the opportunity to exercise their power directly, rather than by delegated agents. Doubtless many members of the Alliance asked more than this; none, it may be believed, demanded less.

The complaint of all might be summed up as too much taxation; too much mortgage; too much reign of the rich; too little consideration of the poor; too much debt. The county indebtedness of Kansas had doubled in the ten years between 1880 and 1890.

326. **A New Party.**—While there were some disavowals of any intention on the part of the Alliance, separately or collectively, to take action after the manner of a political party, it was quite impossible that it should happen otherwise. Many local Alliances declared their intention to act together in support of certain political tenets, and particularly in opposition to certain political leaders of the old parties. A "new party" seemed inevitable.

At a convention assembled at Topeka, June 12, 1890, delegates representing the Farmers' Alliance, the Industrial Union, the Patrons of Husbandry, the Knights of Labor, the Farmers' Mutual Benefit Association, and the Single Tax Clubs, organized the "People's Party", as it called itself in the State of Kansas, or the Populist Party, as it came to be popularly designated. Honorable B. H. Clover, President of the Farmers' Alliance, was Chairman of the convention at which the People's Party was organized.

327. **Original Package Case.**—The controversy between the advocates and opposers of the Prohibition Law

in the meantime increased in bitterness. The former were greatly enraged by the sudden appearance in the State, at many different points, of liquor stores, acting, as they claimed, under the authority of a decision of the United States Supreme Court, in what was called the "Original Package Case," coming from Iowa. The Court, or a majority, three justices dissenting, held that intoxicating liquors formed an article of commerce to be transported like any other article, and that no State had the power to prevent the importation of liquors in unbroken original packages.

**328. Wilson Bill.**—The excitement caused was great. Large public meetings were held to denounce the original package saloons; the keepers were in some instances ordered out of town; in some cases the liquors were shipped, by the citizens, back whence they came. Many of the liquor sellers were arrested as violators of the law, but were usually discharged by the courts by virtue of the Supreme Court decision. At last remedial legislation was sought. Congress was appealed to, and the result was the passage of the "Anti-Original Package Law," or the Wilson Bill, which established the right of a State to exercise its police power over any articles sent into it, whether in the original packages or otherwise. This ended one form of attempt to do, in the State of Kansas, that which the State says shall not be done.

**329. Chancellor of State University.**—The choice of Professor Francis Huntington Snow, as Chancellor of the Kansas State University, ended a period of uncertainty and anxiety, and brought to the headship of the institution a man learned in many things, and especially in all things

pertaining to Kansas. Professor Snow began his work in the University in 1866, and employed the years to study everything between the heavens and earth of Kansas.

Early in 1890 it was announced that Kansas was the first State to apply for space at the approaching World's Columbian Exposition at Chicago.

**330. Eleventh Census.**—In 1890 was taken the eleventh census of the United States. A large number of persons were employed in the work, and in obedience to a demand in Congress, a great deal of time and money was employed in collecting the amount of mortgage indebtedness, and, as far as possible, the reasons and causes of debt.

The population of Kansas, as published by the Government Census Department, was placed at 1,423,485. This represents the population of the State June 1, 1890.

**331. Parties in 1890.**—At the State election in November, 1890, four tickets were placed in the field. The Republican, headed by Governor Humphrey, who was nominated for re-election; the Democratic, headed by Ex-Governor Charles Robinson; the People's Party, with John F. Willitts as its candidate for Governor, and the Prohibitionist, led by Rev. A. M. Richardson.

The official vote for Governor stood: Humphrey, 115,025; Willitts, 106,972; Robinson, 71,357; Richardson, 1,230. The entire Republican State ticket was elected—though by greatly reduced majorities, as compared with those of 1888—except L. B. Kellogg, candidate for Attorney-General. The Democrats, Populists, and Republican-Resubmissionists united on John N. Ives, and elected him. To the Legislature, ninety People's Party members, twenty-seven Republicans, and seven Democrats were elected.

**332. State Officials Elected, 1890.**—The State officers elected in 1890 were L. U. Humphrey, Governor; A. J. Felt, Lieutenant-Governor; William Higgins, Secretary of State; C. M. Hovey, Auditor; S. G. Stover, Treasurer; George W. Winans, Superintendent of Public Instruction; John N. Ives, Attorney-General; A. H. Horton, Chief Justice of the Supreme Court.

**333. Congressmen Elected.**—Of the seven members of Congress elected from Kansas in 1890, two were classified as Republicans, four Fusion, and one Populist. The members chosen were: First District, Case Broderick; Second, E. H. Funston; Third, B. H. Clover; Fourth, John G. Otis; Fifth, John Davis; Sixth, William Baker; Seventh, Jerry Simpson.

#### SUMMARY.

1. Kansas was visited in 1890 by its first epidemic of *grippe*.
2. Honorable D. J. Brewer made Associate-Justice of the Supreme Court of the United States.
3. The A., T. & S. F. Railway Company retired from real estate business, after twenty-five years' persistent work.
4. Ex-Governor N. Green died at Manhattan.
5. The Farmers' Alliance became an active political force.
6. The Anti-Prohibitionists attempt to nullify the prohibition law by the introduction of the Original Package.
7. The Eleventh Census was taken.
8. F. H. Snow chosen for Chancellor of the University.
9. Governor Humphrey was re-elected.



## CHAPTER XXXI.

### THE LEGISLATURE AND CHRONICLES OF 1891.

**334. Installation and Organization.**—The State Government for the biennial period, beginning January 12, 1891, was installed without any special ceremonies, and even the inaugural ball was dispensed with. In these matters, Kansas hardly ever deviates into pomp, and there is a constantly recurring tendency to simplicity.

The House was organized by the choice of P. P. Elder, of Franklin county, as Speaker, and Benjamin Rich, of Trego county, as Chief Clerk. The House differed in political sentiment from the Senate and from the State administration.

**335. Retirement of John J. Ingalls.**—On the 28th of January, 1891, Wm. A. Pepper received 101 votes for United States Senator, and was declared elected. Senator Ingalls retired from a service of eighteen years in the United States Senate, over which he was for four years the presiding officer, and had been a prominent figure in the eye of the nation.

**336. William Alfred Pepper.**—William Alfred Pepper, who succeeded Mr. Ingalls, was, at the time of his election, sixty years of age. He was born of a family of German descent, in Cumberland county, Pa. He enjoyed limited common school advantages and then extended them to others, as a teacher, when still a boy. Lived in California two years. Enlisted as a Union soldier, serving over two

years in the Eighty-Third Illinois Volunteers, and attaining the rank of second lieutenant. He was admitted to the bar, came to Kansas, combined law and journalism, with a preference for the latter; became an advocate of the principles of the Farmers' Alliance, and was chosen to the Senate as their representative and exponent. The Legislature elected E. H. Snow, State Printer.

**337. The Legislature.**—The Legislature began its regular biennial session on January 13th, and adjourned on March 13th. As the adherents of the new People's, or Farmers' Alliance, Party were in control of the lower House, and of both Houses on joint ballot, the proceedings of the session were watched by the public with great interest.

**338. Irrigation.**—An important act of the session provided a system of law for the promotion of irrigation. It declared that all natural waters whether standing or running, and whether surface or subterranean, in that portion of the State west of the ninety-ninth meridian, shall be devoted, first, to purposes of irrigation in aid of agriculture subject to ordinary domestic uses, and second, to other industrial purposes, and may be diverted from its natural beds, basins, or channels for such purposes and uses, provided that existing vested rights in such waters shall not be affected without due legal condemnation and compensation. Provision is made for the creation of irrigation districts, which are authorized to construct ditches and works, to borrow money and issue bonds, and to levy taxes to pay for such works. The charges for water supplied by any person or corporation to another for irrigation, shall be fixed in each county by the county commissioners, and the rights and duties of such persons and corporations, as well as of public irrigation

districts, are defined at length. The sinking of artesian wells and the rights of owners thereof are also regulated.

**339. Grain Laws.**—By another act the business of public warehousemen is carefully defined and restricted. The maximum rates for storage and handling of grain, including cost of receiving and delivering, are fixed at one cent a bushel for the first fifteen days, or parts thereof, one-half cent a bushel for each fifteen days, or part thereof, after the first fifteen, but not over four cents a bushel in the aggregate for continuous storage from November 15th to May 15th following.

Any board of trade issuing licenses hereunder shall appoint a State weighmaster and such assistants as shall be needed for the transaction of business in its locality.

There shall also be a State inspector of grain appointed by the Governor, who shall appoint deputy inspectors upon the nomination of local boards of trade. The inspectors shall determine the grade of grain offered to public warehouses, but an appeal may be taken from their decision.

③ **340. Appropriation.**—The sum of \$60,000 was appropriated to purchase seed grain for those farmers who lost their crop by reason of the drought of 1890. The railroad commissioners were authorized to purchase such grain, and county commissioners of each county to distribute it, taking the note of each beneficiary for the cost of the grain supplied to him.

**341. Eight-Hour Day.**—Eight hours were declared to constitute a day's work for all laborers, workmen, mechanics, or other persons employed by or in behalf of the State, or by or in behalf of any county, city, township, or other municipality of the State. Declaring the first Monday in

September of each year a legal holiday to be known as "Labor Day." To protect associations and unions of workmen in their labels, trade marks, and form of advertising.

**342. Provision for a Convention.**—Provision was made for submitting to the people, at the November election in 1892, the question whether a convention should be called to revise, amend, or change the State Constitution.

**343. Office of State Bank Commissioner.**—Created the office of State Bank Commissioner, with salary of \$2,500, and empowered him to close any bank that did not comply with the law.

**344. Alien Ownership of Land.**—An act to prevent ownership of land by non-resident aliens, provides that every non-resident alien, firm of aliens, or corporations, incorporated under the laws of any foreign country, shall be incapable of acquiring title to or taking or holding any land or real estate in this State, by descent, devise, purchase, or otherwise, except that the heirs of aliens who have heretofore acquired lands in this State under the laws thereof, and the heirs of aliens who may acquire lands under the provisions of the act, may take such lands by devise or descent, and hold them for the space of three years and no longer, if such alien at the time of so acquiring such lands is of the age of twenty-one years, and if not twenty-one years of age, then for the term of five years from the time of so acquiring such lands.

**345. Alien Residents.**—Corporations or associations in which more than twenty per cent. of the stock is owned by others than citizens of the United States, are prohibited from holding real estate in the State. But alien residents

of the United States who have declared their intention to become citizens may acquire and hold real estate for six years, when it shall escheat to the State if they have not become full citizens. Minor alien residents of the United States may acquire and hold real estate for six years after they might have declared their intention of becoming citizens under the Naturalization laws, subject to escheat if they have not become full citizens in that time.

**346. Improvement of State Buildings.**—Sixty thousand dollars was appropriated to continue the construction of the main and central wings of the State House; the further sum of \$60,000 for building and equipping a cottage and for other improvements at the Osawatomie Insane Asylum, and the sum of \$9,000 for an industrial building at the Deaf and Dumb Institution at Olathe.

**347. Other Acts of the Session.**—Changing the bounty on sugar manufactured in the State from beets, cane, or other plant grown in the State, to three-fourths of one cent a pound. Appropriating \$3,500 to establish an experiment station at the State University to propagate the contagion or infection supposed to be destructive to chinch bugs, and to furnish it to farmers free of charge. Prohibiting combinations to prevent competition among persons engaged in buying and selling live stock. Accepting the provisions of an Act of Congress granting aid to State or Territorial homes for disabled soldiers and sailors. Accepting the Act of Congress granting aid for the endowment and support of colleges of agriculture and the mechanic arts.

**348. Discovery of Alfalfa.**—One of the discoveries of agricultural Kansas for the year 1891, was that of alfalfa. In the spring of that year the Secretary of the State Board

of Agriculture received such reports of its value, that he arranged a place for it in his statistical rolls, and the assessors were requested to give the acreage of alfalfa separate from other tame grasses. Since, it has occupied an enlarging space in the agriculture especially of western Kansas.



Samuel C. Pomeroy.

**349. Samuel C. Pomeroy.**—Samuel C. Pomeroy died at Whitinsville, Mass., August 27, 1891. He came to Lawrence with Dr. Robinson, and the "second" company, in 1854; was active in promoting Free State immigration to the Territory, and in the counsels of the Free State party.

His first residence in Kansas was at Lawrence, but when the town site company of Atchison was reorganized on the basis of political toleration, he fixed his habitation there, was active in the affairs of the young city, and in 1859 was its Mayor. In 1860, made memorable by the great drought, when the Legislature of New York appropriated \$50,000 for Kansas, and every Free State contributed generously in money and goods, Mr. Pomeroy was the principal distributing agent of the aid. In 1861 he was elected, by the first Legislature of the State, United States Senator. In 1867, he was re-elected Senator on the first and only joint ballot. He was prominent and powerful in Kansas affairs. In 1873 his political star set in darkness, and he was defeated for re-election to the Senate. He was a native of Southamton, Mass., and was born January 3, 1816, and was seventy-five years old at the time of his death.

**350. John A. Anderson, United States Consul.**—In February, 1891, John A. Anderson, of Kansas, was confirmed as United States Consul-General to Egypt. He was destined to never behold his native land again. He died at Liverpool, Eng., while returning to the United States on leave. He was a man of striking character and force of purpose, who made his mark as President of the State Agricultural College, and afterwards represented Kansas in Congress for five terms.

**351: Colonel N. S. Goss.**—Colonel N. S. Goss fell dead of heart disease, at Neosho Falls, where he was visiting friends, on the 10th of March, 1891. He was an old resident of Kansas, a man of business and fortune, and an ornithologist of rare attainments, the passion of whose life was the study and collection of birds. In his pursuit he ranged from Labrador to Guatemala, and on his death left to the State the fine collection of birds, all mounted and arranged by himself, which is preserved in the State Capitol at Topeka, and is known as the "Goss Ornithological Collection." The last work of Colonel Goss' life was the publication of the *Birds of Kansas*, a work of great value, embodying the labors and personal observations of years, and standing alone in the Kansas literature of its class.




Colonel N. S. Goss.

**352. Relief for Russia.**—The settlers from Russia, located in Ellis county, in view of the great famine prevailing in the districts of Russia from whence they came, sent \$10,000 to the suffering, and an agent to bring a party of over 300 families of their countrypeople to Kansas.

**353. Demand for the Cherokee Strip.**—The opening of the Cherokee Strip was demanded, and large meetings were held at Arkansas City, and at other points on the border. The excitement, however, did not approach the Oklahoma boom in its proportions.

**354. Rain Making.**—The autumn of 1891 witnessed the appearance in Kansas of the "rain makers." A party known as Melbourne, the rain maker, made arrangements with the authorities of the Sherman county fair to produce rain from the clouds, but unfortunately for the test, a heavy rain had commenced prior to the arrival of the rain maker, and continued to fall to the depth of an inch. Later, a fine shower was produced, or claimed, through Mr. Melbourne's efforts, and the Interstate Artificial Rain Company, of Goodland, was organized. The rain maker appeared at other points, and in one case is said to have nearly precipitated a snow storm. Kansas, in the experimental season of 1891, was much interested in the art and mystery of rain making.

**355. General Joseph E. Johnston in Kansas.**—General Joseph E. Johnston, an eminent commander in the Confederate army, who died on the 26th of March, 1891, had much to do when, as an officer of the "old army," he was stationed in Kansas Territory in the days of the "border troubles." In common with the larger number of the regular army officers on duty in Kansas at that time, he won a reputation for humanity and fairness, obeying his oftentimes disagreeable orders with as much impartiality as possible. Nearly all of these officers who survived to the Civil War rose to high command in the Union and Confederate armies.





**356. General Phillip St. George Cooke.**—General Phillip St. George Cooke was for many years of his later life an honorary member of the Kansas State Historical Society.

**357. Death of Samuel N. Wood.**—A profound sentiment was created throughout the State by the death at Hugoton, on the 24th of June, 1891, by the hands of an assassin, of Samuel N. Wood, known from the beginning of the settlement of Kansas Territory as "Sam" Wood. Letters written by him to a Cincinnati paper were among the first, if not the very first, newspaper correspondence published from the disturbed Territory. He was engaged in the rescue of Branson, which was made the excuse for the "Wakarusa War." So in all the contests of Kansas was he interested till the end. He was an Ohioan of a Quaker family, and he suggested the names of the counties of Marion, Chase and Morris, the first for his old "home county," and the two others for distinguished Ohioans. He was buried in Chase county, of which he was a pioneer settler and long resident.

**358. Preston B. Plumb.**—Preston B. Plumb, United States Senator from Kansas, died after a brief sickness at Washington, D. C., December 20, 1891. He was born in Ohio, and in youth learned the printer's trade, and read law



Senator Preston B. Plumb.

in that State, and was publishing a newspaper at Xenia, when, in 1856, he was attracted to Kansas. He made a preliminary visit to the Territory, then returned to Ohio, and came back to Kansas with a party of twenty-eight young


men, of which, though but eighteen years old, he was chosen Captain. He sought work at his first trade, and rose to be foreman of the *Herald of Freedom* office at Lawrence, but in a short time determined to go farther west in the Territory, and establish a town. After some trials the town started was Emporia, ever afterwards to be his home. Early in his town building labors, he was called away by the war, joined the Eleventh Kansas regiment, and rose to be its Lieutenant-Colonel. After the war was over he went back to the Neosho valley, and his multifarious and endless labors, as lawyer, man of affairs, promoter, occasional legislator, and builder of the new country. He was widely known in Kansas, though not as an office holder, when in 1877 he was elected to the United States Senate, to which he was re-elected in 1883 and 1889. In the Senate he was, as everywhere else, a man of action; working constantly and powerfully to perform every task committed to his hands.

He was blessed by Nature with a strong and vigorous frame, and conscious of his strength, he knew no rest. In Washington and at home, he was constantly at work. At last the end came from overwork. He died in the fifty-fourth year of his age, and in full maturity of his powers. His death was regarded as a great loss to Kansas. There were many people he had helped, and who depended upon him. His death was received with every outward demonstration of respect. The Capitol at Topeka was draped in mourning, while the remains of the dead Senator lay in state in the Senate chamber, and the burial at Emporia was attended by many thousands.

The vacancy in the United States Senate occasioned by the death of Senator Plumb was filled on the 1st of January, 1892, by the appointment by Governor Humphrey of Hon. Bishop W. Perkins, making the third time in the history of the State when this office had been filled by appointment of the Governor. Mr. Perkins had served three years in Army of the Union, in line and staff positions; and in Kansas on the judicial bench and in the lower House of Congress.

In November, 1896, the bronze bust of Senator Preston B. Plumb was installed in the Governor's room in the Capitol at Topeka, the gift of his widow.

#### SUMMARY.

1. William A. Pepper succeeds John J. Ingalls as United States Senator.
  2. Among the important Acts of the Legislature were those providing for the encouragement of irrigation; for an eight-hour working day; creating the office of bank commissioner; in regard to land ownership by aliens.
  3. Alfalfa recognized as an important Kansas product.
  4. Colonel N. S. Goss died at Neosho Falls, March 10, 1891.
  5. Former citizens of Russia in Kansas send relief to the famine sufferers in that empire.
  6. Rain makers experiment with the heavens above Kansas.
  7. Deaths of Samuel C. Pomeroy, Colonel N. S. Goss, John A. Anderson, Senator Plumb and S. N. Wood recorded.
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## CHAPTER XXXII.

### ANNALS OF 1892.

**359. Political Revolution Complete.**—The year 1892 was the year of a Presidential election, a political year, and business was affected in Kansas, as in all the rest of the



Governor Lewelling.

country. In Kansas the political revolution was made complete. The entire People's Party State ticket was elected as follows: Governor, Lorenzo D. Lewelling; Lieutenant-Governor, Percy Daniels; Secretary of State, R. S. Osborn; Auditor, Van Buren Prather; Treasurer, W. H. Biddle; Attorney-General, J. T. Little; Superintendent of Public Instruction, Henry N. Gaines;

Associate Justice of the Supreme Court, S. H. Allen; Congressman-at-Large, William A. Harris.

Kansas cast her ten electoral votes for James B. Weaver, of Iowa, for President, and James G. Fields, of Virginia, for Vice-President. The other States casting electoral votes with Kansas were Oregon, Idaho, Nevada, and North Dakota, twenty-two votes in all

The eight Congressmen to which Kansas became entitled under the census of 1890, and first elected in 1892, were William A. Harris, Congressman-at-Large; Case Broderick, First District; E. H. Funston, Second District; T. J.

Hudson, Third District; Charles Curtis, Fourth District; John Davis, Fifth District; William Baker, Sixth District; Jerry Simpson, Seventh District. The Congressional delegation stood five People's Party members and three Republicans.

**360. Cyclone at Harper and Wellington.**—On the 27th of May, 1892, the towns of Harper and Wellington were visited by a tornado, and ten persons killed, a large number wounded, and a vast amount of property destroyed. The storm was among the most destructive of the many which have visited the State, and excited special horror from the fact that the fatal bolt was sped after nightfall; at Wellington, within a few minutes of nine o'clock.

**361. Science and the Cyclone.**—What has been called the "Kansas cyclone" is not peculiar to Kansas, but has been known in all parts of the United States; more especially in the great area between the Alleghany and Rocky Mountains.

The science of meteorology, long as man has watched the skies, is among the younger sciences. In the brief period that meteorological observations have been made in Kansas, the phenomena of the "whirling storm," as it has been called, has been very carefully noted. It has been observed that these calamitous visitations accompany the transition from the temperature of winter to spring, beginning in the southern States and advancing northward with the spring, several of the most notable in Kansas having arrived in May. The period of cyclones, or tornadoes (as they have been called both), is from noon to sunset; and while they are not unknown after darkness has fallen, they may be

called uncommon. The course of the storm is, in a vast majority of cases, from southwest to northeast, and the appearances accompanying it always the same. The hours of murky lowering in the distant sky; the heavy air; the sudden falling of the barometer; the cellar-like chill; and then the apparition of the enormous funnel-shaped cloud, moving in its zigzag course, thrusting down its wavering trunk like that of an elephant to the earth, its huge, black bulk mounting to the clouds, and boiling and whirling within itself; drawing to its blackness the lightest and heaviest of objects; not only overthrowing human habitations, but grinding and breaking them to fragments. All these visible terrors attend the storm. Its track is narrow, its passage swift. It is here, and, with a frightful roar, it has gone, followed after by a deluge of rain. Often in its track, as if deflected by some heavy object, it bounds into the air, striking the earth again after a considerable interval, until at last it rises in the viewless and trackless atmosphere, and is lost in the "abyss of heaven."

It is believed and hoped that, while these dread visitants will continue to come unbidden, they will not always come unheralded, and that the advance of science will enable men to foretell and, even at long distance, hear and see the approach of this "power of the air."

**362. Death of Mrs. Lucy B. Armstrong.**—Kansas, on the 1st of January, lost one of its oldest inhabitants. Mrs. Lucy B. Armstrong died in Kansas City, Kan. She was the widow of John M. Armstrong, Government interpreter to the Wyandottes. She came to Kansas, then the Indian Territory, in 1843. Her father was the Rev. Russell Bigelow, first presiding elder of the Methodist church in

Kansas. She saw, till for her the curtain fell, the whole splendid drama of civilization in Kansas.

**363. Conflict in Seward County.**—The troubles in Seward county, in the early part of 1892, were connected with the former disturbances in Stevens County. The Seward county distresses included the savage murder of the Sheriff and Deputy Sheriff; the dispatching of a body of State troops to protect the Judge of the district and enforce law and order. This was among the last of these needed armed interferences by the State. It is hoped the spread of civilization will make it the last.

**364. Coal Production of 1892.**—It was noted that the production of coal in Kansas, in 1892, was the largest in the history of the State, 68,843,114 bushels, of which Crawford county mined 23,000,000 bushels. This increasing production, however, had marked every year prior to 1892, beginning in 1880, and has every year since, with the exception of two years. In 1897 the Kansas coal mines yielded, according to the estimates of the United States Geological Survey, 3,672,195 tons.



#### SUMMARY.

1. The entire People's Party ticket was elected.
2. Lorenzo D. Lewelling was elected Governor. Kansas cast her electoral vote for James B. Weaver.
3. A very destructive cyclone visited Harper and Wellington May 27, 1892.
4. A severe county seat conflict occurred in Seward county. The militia were called out.
5. The coal production of 1892 was 68,843,114 bushels.

## CHAPTER XXXIII.

### LEGISLATION AND OTHER EVENTS OF 1893.

**365. Inauguration of the Executive.**—Governor Lewelling was inaugurated on the 9th of January, 1893.

**366. Organization of the Senate.**—On the 10th the Legislature assembled, which was destined to a stormy, and, at times, anxious existence.

The Senate was organized under the presidency of the Lieutenant-Governor, Honorable Percy Daniels, at twelve o'clock, noon, the hour fixed by law.

**367. House Failed to Organize.**—The members of the House of Representatives assembled in their hall, when Honorable R. S. Osborn, Secretary of State, appeared, and stated that he did not wish to deliver the roll of members certified as elected by the State Board of Canvassers, in the absence of a presiding officer. A motion that the Secretary of State preside temporarily was objected to, and he departed, taking the roll with him. Both parties then proceeded to organize the House, the Republicans electing Honorable Geo. L. Douglas, Speaker, and the Populists, Honorable J. M. Dunsmore. Both Speakers occupied the same desk, and during the first night slept under the same blanket on the floor in the rear of the Speaker's desk, each one with a gavel in his hand.

**368. Dunsmore House Recognized.**—On the third day of the session, Governor Lewelling recognized the



Dunsmore House as the legal body, and on the fourth day the Senate took the same action, the Republican Senators formally protesting. The two contending bodies continued to sit on different sides of Representative Hall for some days. In time an arrangement was made by which one body met in the forenoon and the other in the afternoon. Numerous attempts were made by various parties, one, among others, by the chairmen of the central committees of the three parties, Republican, Populist, and Democratic, to effect a settlement, but in vain.

**369. Governor's Message.**—On the 17th of January Governor Lewelling sent in his message to the Senate, where it was read, and to the Dunsmore House, which ordered it printed.

**370. Arrest of L. C. Gunn.**—The arrest of L. C. Gunn by a sergeant-at-arms of the Douglas House, on a warrant signed by the Speaker and Clerk of that House, on a charge of neglecting to obey a mandate of that body, brought an issue before the Supreme Court. Mr. Gunn asked to be discharged, on the ground that the Douglas House was not the lawful and constitutional House of Representatives, and had no authority to order his arrest.

**371. Contest for the Hall.**—While this case was pending, stirring events were destined to occur. On the 14th of February an attempt was made by two deputy sergeants-at-arms of the Douglas House to arrest Ben C. Rich, Chief Clerk of the Dunsmore House, on a charge of "contempt." After a sharp scuffle, Mr. Rich was rescued by his friends, and soon after appeared in triumph in the Dunsmore House. Governor Lewelling directed the Adjutant-General to call out a company of militia if necessary. On the night of the

14th, the officers of the Dunsmore House barricaded the door of the Hall of Representatives. On the morning of the 15th, the Douglas House, headed by their Speaker, appeared, thrust aside the outer guards, smashed in the door with a sledge hammer, and entered and took possession.

**372. The Douglas House Besieged.**—Governor Lewelling called out several companies of State militia, guns were brought out of the State arsenal; a Gatling gun and artillerists were ordered from Wichita. On the other side, Sheriff Wilkinson, of Shawnee county, who had declined a summons from both Speaker Dunsmore and the Governor, announced himself as the regular custodian of the peace of the county, marched a force of deputies into the State House, and joined the large force of sergeants-at-arms of the Douglas House. The Douglas House was, in a sense, beleaguered, but was supplied with provisions passed through the lines.

**373. Colonel Hughes Refuses to Obey.**—Colonel J. W. F. Hughes, who had been ordered by the Governor to take charge of the troops and clear out of the State House all unauthorized persons, appeared in the midst of the besieged Douglas House and said he should do nothing of the sort, and was afterwards courtmartialled.

**374. Close of the Contest.**—The siege was not destined to last long. On the 16th Governor Lewelling appeared, and requested that the force occupying the Hall of Representatives turn it over to him for the night. This was refused. A committee of citizens of Topeka besought the Douglas House to yield, and avoid a bloody contest with the militia. This proposition was received with indifference. Negotiations finally resulted in an agreement, on the 17th,

that the Douglas House should continue to hold the hall; that the Dunsmore House should meet elsewhere; that the deputies and the militia should retire, and that the proceedings against Chief Clerk Rich should be abandoned. This ended what has been called the "Legislative War" of 1893, in which, happily, no lives were lost, but which it is earnestly hoped will never be repeated.

**375. Decision of the Supreme Court.**—On the 25th was rendered the decision of the Supreme Court in the Gunn case, Chief Justice Horton affirming the constitutionality of the Douglas House, in which view Associate Justice Johnston concurred, and from which Associate Justice Allen dissented.

**376. House Organized.**—On the 28th of February, the late Dunsmore House appeared, headed by their sergeant-at-arms, carrying the American flag, and spread upon the record their formal protest. The two Houses then became the one House of Representatives of the State of Kansas.

An eye-witness remarks of the appearance of Topeka during the "Legislative War": "No other capital city on earth could have passed through such a scene of conflict without serious loss of life, and, it is also likely, great destruction of property. The absence of the saloon is the chief explanation."

**377. John Martin Elected U. S. Senator.**—On January 25th, in the midst of the disturbances, the Senate and House met in joint session, presided over by Lieutenant-Governor Daniels, and John Martin received eighty-six votes, and was declared elected United States Senator. The Republican members held a joint session, and gave Joseph W. Ady seventy-seven votes. E. H. Snow was re-elected State Printer.

**378. Report of State Agent.**—In the earliest days of Kansas there was a disposition, on the part of Legislative bodies and all concerned, to grant to railroad companies all that might be asked in the way of public lands in aid of construction. In time, there came a disposition to correct this generosity, and recover for the State a portion of its lavished bounty. Ex-Governor Samuel J. Crawford, for some years State Agent at Washington, in his report made in 1892, showed that there had been secured for the State, of school lands, 276,376 acres, and of railroad lands, 833,900 acres.

**379. Erection of K. U. Library Building.**—In 1893 the Regents of the Kansas State University decided to devote the bequest of \$90,000, given to the University by Mr. William B. Spooner, of Boston, to the erection of the fine fireproof library building of the University, and which bears Mr. Spooner's name. Kansas institutions, in later years, have been generously remembered by Eastern men of wealth, who befriended Kansas in her early days of struggle.

**380. Memorial to William B. Spooner.**—On the occasion of the dedication of the Spooner Library, in 1894, Hon. D. W. Wilder wrote: "It is now too late to accept your kind invitation. I should be the only guest, probably, who had seen Mr. Spooner, and seen him a great many times. I was a schoolboy, the son of an anti-slavery father. I did not neglect my books, but I attended many meetings of the anti-slavery folks, a very small band. Not one person in ten thousand in Boston, in those days, forty-six years ago, was an avowed Abolitionist. Some of the meetings, in the days of mobs and violence, had a few

dozen of the fearless and faithful present. The stalwart figure of the sincere and fearless Wm. B. Spooner was always to be seen. Sometimes he spoke. No doubt, he always helped the feeble cause with his purse, as well as his voice and influence. One unknown boy will never forget his face, his person, his heroism. He was as true as his friends, Garrison and Phillips.

"Let the young men and women of Kansas, who now enjoy the gift of this noble man, remember that it comes from a pioneer in the cause of freedom, the cause that made for them a new and glorious country. And let the books upon the shelves of the Spooner Library give a true history of the anti-slavery conflict."

**381. Death of Colonel Samuel Walker.**—On the 6th of February, 1893, Colonel Samuel Walker, often designated in Kansas annals as "the bravest of the brave," died at Lawrence. He tendered for service, in the Civil War, the first company organized in Kansas.



Colonel Samuel Walker.

**382. Early Teachers.**—A discussion sprang up in the newspapers as to the first schoolmaster "abroad" in Kansas after its organization as a Territory. J. B. McAfee, of Topeka, claims to have opened the Leavenworth Collegiate Institute May 14, 1855. Edward P. Fitch is named as having opened the pioneer school of Kansas at Lawrence, January 16, 1855. Mr. G. W. W. Yates notes as the oldest country school that at the Union schoolhouse, three miles north of Lawrence, begun in February, 1855.

**383. Kansas at the World's Fair.**—The first steps for the proper representation of Kansas at the World's Columbian Exposition at Chicago were taken at a delegate convention, called by the State Board of Agriculture, at Topeka, on the 23rd and 24th of April, 1891. Under the direction of a Bureau of Promotion, appointed by the convention, and later by a permanent Board of Managers, extensive collections were made and a building erected, which was formally dedicated on the 22d of October, 1892. At noon of that day, the Kansas Building stood, the first completed and dedicated State building on the Exposition grounds.

The Legislature of 1893 passed an act in aid of the Kansas Exposition, appropriating \$65,000, and the work was turned over to the Board of Managers of the Kansas exhibit, representing the State.

**384. The Kansas Building.**—The Kansas State Building was formally opened to the public by the festivities of "Kansas Week," extending from the 11th to the 16th of September, 1893. The address of welcome was delivered by Hon. M. W. Coburn, President of the Board of Managers, and the response by Governor L. D. Lewelling. Every day of the "Week" a new programme was presented, and there was a profusion of original Kansas poetry and music.

The building had an eligible location near the Fifty-Seventh street entrance, and in the vicinity of the State buildings of Arkansas and Utah, and of "Mount Vernon," a reduced copy of the home of Washington, presented by the State of Virginia.

The ornamentation of the Kansas pavilion, which was profuse and effective, was remarkable for the use made of the "kindly fruits of the earth." The structure might

have served in the old time as the temple of the goddess Ceres. Corn, wheat, oats, all the grasses, and the seeds thereof, made up innumerable designs, and in every possible gradation of color. The word "Kansas" shone everywhere wreathed in roses, and shaped of bold sunflowers, and amid the vegetation of Kansas peered the prairie dogs and jack rabbits, the admiration of the children.

*b* **385. Collection of Professor Dyche.**—In the annex to the main building was displayed the great collection of Professor Dyche, of the State University, comprising 121 specimens of North American mammals, occupying an artificial landscape of rock and ravine, mountains and prairie and swamp, extending apparently into the indefinite distance. Prominent, of course, was the mighty buffalo, once lord of the Kansas plain. The bison was presented as in life and death; standing in defiance, and overcome by a gang of snarling wolves. Standing near the former rangers of the plains and mountains, was the horse, "Comanche," who, pierced with many wounds, survived Custer's fight at the Little Big Horn, and passed his last years in honorable ease at Fort Riley, and after his death, which occurred in his thirty-first year, was mounted in the taxidermic laboratory of the Kansas State University, with the understanding that he might be shown at the World's Fair.

*10* **386. Railroad Exhibit.**—The great Kansas railroads were extensive exhibitors, as well as advertisers, presenting in the way of pictures and specimens the agricultural, mineral and manufacturing resources of the country along their lines.

**387. Woman's Department.**—The "Woman's Department" had a "room" allotted to it in the Kansas Building,

but woman's taste, skill and industry were in evidence in all of the rooms. There was a great art exhibition, covering all work that may come under the classes of "art," an interesting show of relics and souvenirs, and in all, the pioneer woman, the "first woman," who builded with the others in laying the foundations of the State, looked from the canvas, and was represented by the work of her toiling hands.

**388. Educational Exhibit.**—The educational exhibit of Kansas was extensive, representing an expenditure of \$12,000. The Kansas schools of all grades, from the common schools to the great State institutions, made a remarkable showing in the immense exhibition, which in the Liberal Arts Building alone covered four acres of wall and floor space. It seemed that everything that brain and hand may accomplish in the schoolroom was exhibited.

**389. Agricultural Exhibit.**—Rugged utility was not overlooked. The main agricultural exhibition was made in a special pavilion in the Agricultural Building, near the great displays of North Dakota and California. A remarkably ornate style of wall decoration was employed, but of such a nature as to display in perfection the agricultural resources of the State. Everything, even the twenty windows of the pavilion, set forth the work of the Kansas farmer. Part of the exhibition was made by the Kansas State Agricultural College, which came out strong, among other things, in a great display of onions. The exhibit and decorations were made from the crop of 1892, but as the season advanced it was renewed from the crop of 1893, giving it an appearance of perennial freshness.



**390. Horticultural Exhibit.**—The horticultural exhibition was divided into two displays, one in the Kansas Building, and the other in the Horticultural Building, and in spite of an unfavorable season, a fine showing was made.

**391. Live Stock Exhibit.**—The live stock exhibit of Kansas, under the rules of the Columbian Exposition, was made a part of the general exhibition, and competed with the world, and under these circumstances received forty medals, premiums and ribbons.

**392. Dairy and Forest.**—The dairying exhibit was limited to 104 exhibits, which received twenty-four diplomas. A small exhibit did not interfere with the general excellence. The forestry exhibition was confined principally to one walnut log from Leavenworth county, but it was the largest walnut log at Jackson Park, was forty years old when Columbus discovered America, and was believed to be the largest walnut log in America.

**393. Mining Exhibit.**—The mining exhibit was one of the earliest upon which work was begun, and was very complete in everything except coal, which was interfered with at a critical time by a strike in the coal mines. An unexpectedly fine showing was made of lead and zinc. Rock salt was present in beauty and plenty, and visitors took away specimens, with the information that Kansas had salt enough to supply the world for 1,000,000 years. There was an instructive exhibition of Kansas building stone, scientifically presented.

**394. Visitors to Kansas Building.**—Kansas at the World's Fair presented a great attraction. Five large books were filled with the names of visitors, and thousands

were unable to register for want of time. The Kansas Building was visited by from 10,000 to 12,000 persons daily, at first, and during the last two months of the Fair, the attendance reached from 18,000 to 20,000 every day.

#### SUMMARY.

1. Governor Lewelling was inaugurated January 9, 1893.
2. Senate organized on January 10.
3. The Republicans organized the Douglas House, the Populists, the Dunsmore House.
4. Governor Lewelling recognized the Dunsmore House, the Douglas House protesting.
5. After days of excitement and separate meetings, both houses were united on February 28.
6. John Martin was elected United States Senator.
7. The Spooner library erected at Kansas University.
8. Colonel Samuel Walker died at Lawrence, February 6, 1893.
9. Kansas State Building at the World's Fair dedicated October 22d.
10. Kansas made fine exhibits in every department.

## CHAPTER XXXIV.

### PASSING OF THE PIONEERS.

**395. Death of Two Early Governors.**—In the year 1894 Kansas parted with two faithful friends, early guides and advisers who had both held the helm of the ship of State in the early and earliest part of the voyage. Governor Charles Robinson and Governor James M. Harvey.

**396. James M. Harvey.**—The end came first to Governor Harvey, who died at midnight on the 15th of April, 1894, near Junction City, Kan. He was born in Monroe county, Va., but removed with his father's family to Adams county, Ill., and thence to Kansas. He had been but two years in Kansas when the Civil War came, and he entered the service with Company "G," Tenth Kansas Volunteer Infantry, a regiment which furnished eventually a remarkable number of prominent men to the civil and official service of the State and nation. Captain Harvey displayed in the ranks of the Tenth the steady, patient valor which was native to him, and almost immediately on his return to his home in 1865, he was elected to the Kansas House of Representatives, and again in 1866. In 1867 and 1868 he was elected to the State Senate, and in 1868 was elected Governor of Kansas and re-elected in 1870. In 1874 he was chosen to fill the vacancy in the United States Senate, occasioned by the resignation of Alexander Caldwell, and he remained in the Senate until March 4, 1877. With this

brilliant experience of official life he might have been encouraged to press on, but, instead, he retired absolutely to private life. He had early in life added to the calling of farmer that of land surveyor, and his later years were devoted to the hard and toilsome occupation of a Government surveyor in New Mexico and the West. Admonished by failing health of the necessity of living, if he would live, in a milder climate, he sought tide-water Virginia, and remained in the neighborhood of Norfolk for some years, but moved by that irresistible impulse which often comes to men at last, to seek their home, he returned to Kansas, and near the familiar acres he had redeemed from the wilderness, he closed his honorable and useful life.

**397. Charles Robinson.**—The death of Charles Robinson, first Governor of Kansas, occurred on August 17, 1894. Governor Robinson was born in Hardwick, Mass., July 21,



Governor Charles Robinson.

1818. He came of that New England generation with whom life is a serious and strenuous business, and, above all, an exploration, if not of actual voyaging to distant and unknown foreign parts, then of independent excursions into all the bays and inlets of thought and conviction. He commenced life as a physician, taught in the learning of the old schools, but as a practitioner venturing

into such paths as seemed to lead somewhere, to the grief of his regular brethren. But he was destined to travels and adventures. He went "overland" to California, crossing the to-be site of Lawrence, and soon took sides in a fight for "squatters' rights," which involved for him and his

friends some actual fighting, followed by imprisonment. He was accustomed to say, in later days, that he had been indicted in California for murder, assault with intent to kill, and conspiracy, and for treason in Kansas, but had not been tried on any of the charges. He was, after the period of combat was over, elected a member of the Legislature of California from the Sacramento District. He was a supporter of John C. Fremont, for United States Senator, and an upbuilder of the Free State of California. In 1851 he had an adventurous voyage to the States, involving shipwreck, and, as on the Missouri river years afterward, an encounter with the cholera among his fellow voyagers, which he met with skill and courage. On this voyage the steamer touched at Havana and he saw the tragic end of the Lopez filibusters. He got back to Massachusetts in safety and settled down to the practice of medicine, when, in 1854, he became interested in the Kansas question, which that year became a burning question.

Dr. Robinson, as he was then, and for a long time after, called, entered into the work of the New England Emigrant Aid Society, and he led the second party of emigrants—the first, it is said, who came to stay—to the Lawrence town-site. Thenceforward he was a part of everything that went on in Kansas Territory. He was a great believer in the power of reason, in the virtue of the New England practice of “talking it over,” nevertheless, he “dwelt in the midst of alarms,” his house was burned, his property destroyed, and he was himself arrested and held for months a prisoner on the charge of treason. He was an advocate early and late, of the Topeka Government, was chosen Governor under it, and stood by it until the safety of the Territory as a

future Free State was assured. Under the Wyandotte Constitution he became the first State Governor of free Kansas. In 1851 Dr. Robinson had married Miss Sara T. L. Lawrence, who accompanied him to Kansas, shared all the perils of the time and hour, and became their very clear and interesting historian.



Mrs. Sara T. L. Robinson.

On becoming Governor of Kansas, after so many perils past, he found himself the head of the State in the midst of a war for its life. He may be said to have armed and equipped the State, and sent it to battle.

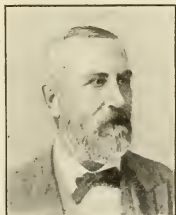
After his service as Governor, the name of Charles Robinson continued as prominent as before in the State. He was always called on to fill trusts, execute commissions, assume responsibilities. He was sent to the Legislature when there was work to do. One of the trusts he executed with great kindness and fidelity, was the superintendency of the Haskell Institute, the Indian school at Lawrence, and there were many other labors.

He was the steadfast friend of the Kansas State University; he gave the original site; his gifts amounted, it was estimated, to \$150,000; and he made the University his final heir after his wife, who survives him. The Legislature appropriated \$1,000 to secure his marble bust for the University.

In his later years Governor Robinson resided on a fine farm three miles north of Lawrence, dwelling in the shade of noble trees which he planted with his own hands. Here he dispensed a grateful hospitality. He was buried at Oak

Hill Cemetery, on a slope which faces the town which he saw rise in the prairie grass, and pass through the vicissitudes of siege, and burning, and carnage, to well-ordered peace, and a prosperous destiny at last.

**398. State Election of 1894.**—In November, 1894, the Republicans succeeded in turning the tide which had so strongly set against them in prior years, and elected Edmund N. Morrill, Governor; James A. Troutman, Lieutenant-Governor; George E. Cole; Auditor; Otis L. Atherton, Treasurer; F. B. Dawes, Attorney-General; Edwin Stanley, Superintendent of Public Instruction; W. A. Johnston, Associate Justice; Richard W. Blue, Congressman-at-Large.



Governor E. N. Morrill.

**399. Members of Congress.**—At this election, Kansas, for the second time, elected eight members of Congress. The members chosen were: First District, Case Broderick; Second, O. L. Miller; Third, S. S. Kirkpatrick; Fourth, Chas. Curtis; Fifth, W. A. Calderhead; Sixth, Wm. Baker; Seventh, Chester I. Long; At-Large, R. W. Blue.

**400. Suffrage Amendment Defeated.**—The constitutional amendment, conferring on women the full exercise of suffrage, was defeated, the vote standing 95,300 votes for, to 130,139 votes against.

**401. Death of Bishop W. Perkins.**—Bishop W. Perkins died, at his home in Washington, on the 20th of June, 1894. He had been for years a prominent figure at the bar, on the bench, and in the forum. He represented

Kansas for several terms in the House of Representatives, and, on the death of Senator Plumb, he was appointed by Governor Humphrey his temporary successor.

**402. State Normal School.**—On the 14th of June, the State Normal School held its thirtieth annual commencement exercises, and conferred its diplomas on a class of 100 graduates. The history of the State Normal School is a counterpart of that of the State. It was founded in 1863, in the crisis of the Civil War, but first opened its doors in 1865, with thirteen students. From that time forward it advanced, like the State, "through difficulties," among them fire, which, in 1878, destroyed its building. From the lowest point in its fortunes, which was reached in the year of the fire, it has steadily risen, until the last ten years its attendance has ranged above 1,000 students, and the number of its annual graduates at 100 and upwards. Since 1882 the State Normal has been under the guidance of President A. R. Taylor.

On the 26th of June Haskell Institute, at Lawrence, turned out a class of nine native Americans. Eight different Indian tribes were represented among the graduates.

**403. Death of Early Settlers.**—In 1894 the early settlers and founders of the State of Kansas were admonished of the flight of time, by the departure from the scene of life of many of their associates; among the dead of the year were numbered:

Isaac T. Goodnow, one of the founders of Manhattan, third State Superintendent of Public Instruction, from 1863 to 1867, and a man distinguished for his services to the educational interests of the State.



T. Dwight Thacher, long eminent in connection with the journalism of Lawrence and of Kansas; a leader in the ranks of thought, scholarship and literature.

Judge Joel K. Goodin, of Ottawa, the first Justice of the Peace in the Territory, appointed by Governor Reeder in 1855, and active in all the early history.

**404. Coxey Army.**—There was much unrest among the laboring classes during the year. Strikes were reported, especially among the coal miners and railroad men. Another evidence of the popular discontent was the marching of the "Coxey Army." The appearance of the detachment called "General Sanders' " army, which camped at Topeka in May, was involuntary. The men were brought in from the West charged with having captured a railroad train. The party remained several days in Topeka, and were held by the United States Commissioner to appear for trial before the United States Court at Leavenworth. Their cause and condition elicited many expressions of sympathy.

**405. Valuable Fossil Found.**—Collectors of fossil remains in Kansas have for years enriched museums with valuable specimens. It was announced in 1894 that Mr. Charles H. Sternberg, of Lawrence, had made a very valuable find in the northeast part of Lane county, a bed of fossils containing nearly the entire skeleton of the hairy mammoth, similar to that found in Siberia, and preserved in St. Petersburg, a cast of which was exhibited at the World's Fair. Over 150 elephants' teeth formed part of Mr. Sternberg's discovery.

**406. Oil and Gas Discovery.**—The greatest discovery and development in Kansas, in 1894, was in the oil and gas

field. In January, nineteen flowing wells were reported in Wilson county. A Pennsylvania company, exploring in that region, stated that of twenty-one wells they had bored, but two were valueless. By May the Neodesha wells were said to be equal to those of Lima, Ohio. Oil and gas were struck at Sedan, Thayer, Cherryvale and other places, but the Neodesha field remained the most important.

**407. Apple Orchards in Kansas.**—In 1894 one bearing apple tree was reported in Wichita county, and one in Greeley county, but in that year Judge Wellhouse, the Kansas orchardist, planted a new orchard of 25,000 apple trees on 270 acres. He is the owner of 1,700 acres in orchards, and is believed to be the largest apple grower in the world.

**408. A Heavy Snow Storm.**—A very heavy snow on the 12th of February, revived the recollections of the oldest inhabitants, and it was remembered that in the winter of 1855-56 the country between the Missouri river and Fort Riley was covered with snow for nearly two months, and that for six weeks the United States mail from Independence, Mo., to Fort Riley was carried in sleighs.

**409. Report of Commissioner Harris.**—The report of Commissioner Harris, of the Bureau of Education, showed that Kansas had the greatest proportion of her school population enrolled in the schools of any State in the Union, the per cent being 87.66. The next States in order were Maine, 87.12; Iowa, 86.33; South Dakota, 81.04. The percentage of New York was 70.40.

The large proportion of the attendance to the enrollment in the schools of Kansas shows the interest felt by the people of Kansas in education, and is not the result of compulsory laws. Kansas received its earlier and later

settlers from the States in the Union in which a system of free public schools was earliest established and has been most successfully maintained. The free, the common school, was in Kansas a heritage from the oldest and best educated communities of the United States.

### SUMMARY.

1. Charles Robinson and James M. Harvey, two pioneer Governors of Kansas, died in 1894.
2. Edmund N. Morrill was elected Governor.
3. The amendment to the constitution giving women equal suffrage was defeated.
4. Haskell Institute graduated nine Indians.
5. The State Normal School granted 100 diplomas.
6. Among the early settlers of the State who died in 1894 were Bishop Perkins, Isaac T. Goodnow, T. Dwight Thacher and Judge Joel K. Goodin.
7. The year of '94 was one of unrest and discontent among the laboring classes.
8. Kansas has a larger proportion of her school population enrolled than any other State in the Union.

## CHAPTER XXXV.

### THE STORY OF 1895-96.

**410. The Enforcement of Law.**—Looking over a brief abstract and chronicle of Kansas affairs in 1895, it would appear that the subject of the prohibitory law and its enforcement remained a matter of first interest. In Emporia, a party, for selling liquor illegally, was sentenced to a fine of \$500 and 150 days in jail. In Armourdale, citizens demanded the enforcement of the law. In Wyandotte county, the county Attorney ordered the joints to close. In Arkansas City, the joints, which is by common consent the Kansas name for places where liquor is sold, were temporarily closed by agreement. In Dodge City, the Mayor closed the joints. In Beloit, an offender against the liquor law was convicted after four trials. The Sheriff ordered a closing up in Wichita. In Topeka, six druggists' permits were suspended. Wellington women knelt in whisky joints and prayed for prohibition. A district judge decided that the "so help me God" oath must be taken in all liquor sales. There are many variations. In one place a local liquor ordinance was declared unconstitutional. A jointist in Seneca was fined \$300. Weir City broke the record by fining a fifteen-count violator of the law \$1,500, with 450 days in jail. There were long lists of individual convictions in many counties, but always discussions, and equally confident assertions, that the law is, and is not, a failure.

**411. Case of John L. Waller.**—As illustrating the vicissitudes of human fortune, was presented to public attention in Kansas the case of John L. Waller, born a slave in Missouri, becoming a citizen of Kansas, and the United States Consul to Madagascar. After serving his term, he remained in the island, received valuable grants from the native government, and on the overthrow of the Malagassy Government by the French, he was arrested, tried by court-martial, sent to France, and incarcerated in a fortress. Kansas interested herself for her former citizen; Mr. Waller's picture appeared in the papers, with biographical sketches. Governor Morrill telegraphed the President in regard to Mr. Waller's release. A petition was sent to Congress containing 6,743 names. The United States Ambassador at Paris was reached. John Waller was liberated, and returned to his country to enter the Twenty-Third Colored Kansas Infantry Volunteers, and served as a captain in the regiment in Cuba.

**412. Weather Phenomena of 1895.**—In 1895 there were given illustrations of the variability of the Kansas temperature. In January the mercury was sixteen degrees below zero; in February eighteen degrees; persons froze to death at Newton, New Basle and Chanute, and three Stanton county children perished. On the 9th of May the mercury was ninety-three degrees above zero; on the night of the 12th of May there were hard frosts in many parts of Kansas.

**413. Old People.**—Kansas began to speak of herself as an old country, and a country of old people. James White died at Ottawa, aged 108 years. Elder John Burney, who died at Abilene, left 147 descendants. Andrew Franklin, a veteran of three wars, died at Burlington, aged 104 years

The death was announced at San Marcos, Tex., of Israel B. Donalson, at the age of ninety-nine years. He was United States Marshal in Kansas in the "Border Troubles" days. He was appointed from Illinois. The death is announced of Neodesha Fuller, the first white person born in Neodesha. It was an early Kansas custom to name the first babies after the town sites. Lawrence Carter and Topeka Zimmerman are remembered.

**414. Monument to Kansas Heroes.**—On May 30, 1895, Decoration Day, there was a monument dedicated in the cemetery at Topeka, to the memory of the men of the Second Kansas State militia, Shawnee county regiment, who fell in the battle of the Blue, in October, 1864. The remains of the brave militiamen were removed to Topeka in 1866, but the graves were but slightly marked, and the monument reared at this time was the gift of Mr. G. G. Gage, of Topeka, who served in the Second Regiment, and was taken prisoner at the Blue.

The address at the dedication was delivered by General John C. Caldwell. General Joe Shelby, who commanded a Confederate division in the battle opposed to the Kansans, wrote a letter giving his recollections of the conflict.

At Lawrence a monument was dedicated to the slain in the Quantrell raid. At Frankfort a monument to the Union soldiers buried there was unveiled.

There was complaint of suffering and need in the western counties. The State shipped coal in quantities. The State Normal students contributed. Nortonville, Horton and other towns donated to the relief of the destitute, as did Shawnee and the eastern counties. The Railroad Commissioners purchased 10,000 bushels of corn for seed. •

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**415. Lawrence Loses Two Prominent Men.**—Lawrence and the State lost two useful citizens in Judge Solon O. Thacher and Professor David H. Robinson. Judge Thacher had graced the bench and bar of the Territory and the State, and was President *pro tem.* of the Wyandotte Constitutional Convention, which formed the present Constitution, an instrument which bore the impress of his legal knowledge, and principles of justice to all men. Professor David H. Robinson was a member of the original faculty of the Kansas State University, and for thirty years was the Latin professor. A man of learning, honor and conscience.

**416. Election of 1895.**—The Legislature of 1895 was Republican on joint ballot, and elected Lucien Baker, of Leavenworth, United States Senator, as the successor of John Martin in the "Lane line," as distinguished from the "Pomeroy line" of senatorial succession. Joseph K. Hudson was elected State Printer.

**417. Legislative Acts.**—The Legislature did not indulge in novel or excessive measures. The principal acts were the establishment of appellate courts to relieve the pressure of business on the Supreme Court; the providing for an irrigation commission consisting of the President of the State Agricultural College, the State Geologist, and three appointees; the making of an appropriation of \$30,000 for experiments in irrigation, the State entering the business of irrigation in accordance with the Act of the Legislature. In June the State irrigation plant at Goodland was given a public trial. The thirteenth and last of the State plants was located at Dodge City on the 3d of July. The season in which these plants were

located was marked by heavy rains throughout the State, accompanied by washouts, and excessive thunder and lightning.

The Legislature abolished the office of State Veterinarian, but established the office of State Accountant. \$3,000 was appropriated to buy coal for destitute settlers in the western portion of the State. The Legislature failed to divide the State into eight Congressional districts; in other words, failed to make a Congressional apportionment.

A concurrent resolution was adopted, asking that the statue of John Brown be placed, as representing Kansas, in the Statuary Hall of the Capitol, at Washington.

**418. Educational Interests.**—The Kansas State University graduated a class of 130. Washburn College celebrated its thirtieth anniversary. The Wesleyan University, at Salina, secured the library of the late Colonel William A. Phillips. Fifty-seven graduates formed the class at the Agricultural College.

**419. Issues Before the People.**—The year 1896 was devoted in Kansas, as in the other States of the Union, to political discussion and action. The national conventions of the great political parties met, framed their platforms, and announced their candidates. The questions before the people being largely financial; the "gold standard" as opposed to "free silver," and "free trade" as against "protection," there was endless opportunity for discussion. In Kansas, the canvass, one of the most thorough and earnest ever made in the history of the State, was conducted principally by "home talent."

**420. Result of Election.**—The political combinations during the summer resulted in the fusion of the Democratic



and People's parties, and Kansas cast her electoral vote for Bryan and Sewall, and the following Populist State and Congressional tickets were triumphant:

John W. Leedy, Governor; A. M. Harvey, Lieutenant-Governor; W. E. Bush, Secretary of State; D. H. Hefflebower, Treasurer; L. C. Boyle, Attorney-General; W. H. Morris, Auditor; Frank Doster, Chief Justice; William Stryker, Superintendent of Public Instruction; Congressman-at-Large, Rev. J. D. Botkin.



Governor John W. Leedy.

The Congressmen elected were: First District, Case Broderick, and Fourth, Charles Curtis, Republicans; Second, Mason S. Peters; Third, E. R. Ridgely; Fifth, W. D. Vincent; Seventh, Jerry Simpson, Populists; Sixth, N. B. McCormick, Democratic.

The Bryan electors received 171,810 votes; McKinley, 159,541; Palmer, 1,209; Levering, 1,921; the vote for Governor stood, Leedy, Democrat-Populist, 168,041; Morrill, Republican, 160,530; Hurley, Prohibition, 2,347; Kepford, Independent-Prohibition, 703; Douthard, National Prohibition, 752.

**421. Natural Gas at Iola.**—In the matter of resources the chief development in Kansas was in the line of natural gas; the Iola gas field coming into line with the Neodesha oil field. Natural gas was first discovered at Iola in boring for coal to a great depth in 1871. Fifteen years later came the discovery of the gas fields of Indiana and Ohio, and the grand results which these States achieved in building up manufacturing centers, proved the incentive by which the

people of Iola were induced to make efforts to test the prospects shown in the "Acers well."

Near the end of 1895, the first great natural gas well was opened. The gas rushed upward with a roar as if a hundred locomotives were letting off steam at once. The gas territory has since developed over an area of some eighty square miles. Great flows have been struck at LaHarpe and Gas City. Twenty-nine wells have been drilled which furnish fuel for zinc smelters, many manufactories, and fuel and light for the city of Iola.

When Thomas Watson, the middle-of-the-road Populist candidate for Vice-President, visited Iola in September, 1896, ten million cubic feet of gas were consumed in honor of the event.

**422. Severe Storms.**—The State was visited by severe cyclones, costing several lives. The most fatal in their effect were those at Clifton in April, and Seneca in May. The month of May again seemed the month most subject to these storms.

**423. George T. Anthony.**—George T. Anthony died at Topeka, on the night of August 5, 1896. He was born in Fulton county, N. Y., in 1824, belonging to a family famous in the history of political and social progress. He came to Kansas after the close of the Civil War, in which he served as a captain of artillery. It was in Kansas that he entered upon a public career. He is said to have made his first public speech after he was forty years old. In Kansas he was almost continuously entrusted with official responsibilities. He was United States Collector, President of the State Board of Agriculture, in which capacity he contributed to the success of the State at the Centennial Exhibition at

Philadelphia, and in connection with George A. Crawford and Alfred Gray, compiled the third annual report of that Board, said by competent authority at the time, to be the finest agricultural report ever published in the world. He was elected Governor of Kansas in 1876, serving in 1877-79. He was afterwards Railroad Commissioner, and at the time of his death was State Insurance Commissioner. His funeral occurred in the State Senate Chamber at Topeka. He lived seventy-two years.

#### SUMMARY.

1. Kansas stands for prohibition.
2. John L. Waller was released from a French prison by the efforts of his fellow citizens of Kansas.
3. On May 30th a monument was unveiled at Topeka, in memory of the men of the Second Kansas militia, who were killed at the battle of the Blue.
4. Judge Thacher and Professor Robinson died in Lawrence.
5. Lucien Baker was elected United States Senator in 1895.
6. Among the Legislative acts were the establishment of an Appellate Court, a commission on irrigation, with an appropriation of \$30,000 for experiments; aid to Western settlers; resolution to place statue of John Brown in Capitol at Washington.
7. The year 1896, a presidential year, was largely given up to politics.
8. Kansas cast her electoral vote for Bryan and Sewall. John W. Leedy was elected Governor, and Rev. J. D. Botkin, Congressman-at-Large.
9. George T. Anthony, ex-Governor, died at the age of 72 years, at Topeka, August 5, 1896.

## CHAPTER XXXVI.

THE YEARS 1897 AND 1898.

**424. Legislative Session.**—The Legislative session of 1897 lasted sixty-seven days, being the longest on record in Kansas.

January 26th, the joint session of the Legislature elected Honorable Wm. A. Harris United States Senator. Mr. Harris had previously served in the House of Representatives. J. S. Parks was elected State Printer.

The Legislature repealed the Act which established the State Board of Irrigation, and consolidated the duties assigned it to an officer styled the Commissioner of Irrigation and Forestry.

**425. Accomplishments of Board of Irrigation.**—The Board, during its existence of two years, instituted an extensive series of experiments, mostly in the western portion of the State, boring thirteen wells to different depths, and testing various pumps and motive powers. The wells were sunk at likely and unlikely places to find water, in the low grounds and on the high plateaus, and in the sand hills. One result of the operations conducted under the patronage of the State was to encourage the efforts of private parties. In the county of Sherman 150 reservoirs for irrigating purposes were constructed in the year 1895. Both northwestern and southwestern Kansas were included in the State's experiments, and a great stimulus was given the cause of irrigation in those sections.

**426. First Successful Irrigator.**—In histories of irrigation in Kansas the credit of being the first successful irrigator is usually accorded a settler named George Allman, who, in 1873, near Fort Wallace, constructed a ditch about a mile long, taking water from the Smoky Hill river. He succeeded in raising garden vegetables in plenty, which he sold at Fort Wallace. Since his time there have been thousands of irrigating plants established by individuals, corporations and the State. The Arkansas has been the stream most drawn upon for water, and the town of Garden City, which derived its name from the irrigation gardens early established in its neighborhood, has become the center of the largest and most compact body of irrigated country. Kansas possesses an irrigation law modeled on that of Colorado. The appearance and even the climate of Kansas it is believed is to be greatly changed by irrigation.

The search for an underground supply of water for domestic and irrigating purposes has resulted in the discovery in central Kansas of what seems a subterranean river, with a slow but defined flow in a certain direction, and apparently exhaustless in quantity.

**427. Agricultural Reports.**—The carefully collated and very conservative statistics collected by the Secretary of the State Board of Agriculture, showed that the farm products of Kansas for the years 1897-98 amounted in value to \$288,259,056; which was a gain of \$43,506,301, or nearly eighteen per cent over the preceding biennial period. The reports show an increase in the value of farm products in Kansas for every biennial period from 1877-78 forward, except for 1885-86, and 1893-94. In

other words there were four unproductive years in twenty-one.

**428. Wheat Production.**—With 1897 came increased signs of prosperity, following a period of depression. It was estimated that Kansas raised, in 1897, enough wheat for every man, woman and child in the State; to provide seed for the coming year, and feed all of New England, New York and Pennsylvania for twelve months.

**429. Kansas Oil.**—In April, 1897, a great oil refinery was building at Neodesha, and eighty-seven wells produced daily an average of four barrels of oil each. The stock of oil accumulated at Neodesha before the opening of the new refinery amounted to over 300,000 barrels. In July, oil was piped from Neodesha to Chanute. Kansas began to buy, in quantity, Kansas oil. In 1897, Iola, Coffeyville, Independence, Cherryvale, Paola, Neodesha, Osawatomie, Kansas City, Kan., and Chanute were noted as producers of natural gas.

Kansas was rated as the eighth State in the Union in the number of men employed in coal mining. The salt producing capacity at Hutchinson was increased to over 1,650,000 barrels per annum.

**430. Reduction of Indebtedness.**—There were evidences this year of the diminution of the enormous load of debt, which Kansas had accumulated in the boom days. Early in the year ten counties were reported as without indebtedness. Estimates based on reports from registers of deeds in thirty-eight counties indicated that the mortgage indebtedness of the State was reduced in seven years over \$100,000,000.

**431. Necrology of 1897.**—The necrology of the year included Mrs. Clotilda Hilton Greer, widow of Samuel W.

Greer, second Territorial Superintendent of Public Instruction, and an early settler of Doniphan and Cowley counties. Sol Miller, the veteran editor of the *Kansas Chief*, at Troy, oldest in length of service, and best known of Kansas editors. Judge N. C. McFarland, of Topeka, at one time Commissioner of the General Land Office, and in that office the friend of the homestead settler. Harrison Kelley, a former Congressman and member of the Legislature. Lewis Hanback, a veteran of the war for the Union, representative of Kansas in Congress, and a prominent figure in the Grand Army of the Republic. Major J. B. Abbott, a pioneer Free State settler, who figured in the rescue of Branson, the rescue of the Doys, and most of the stirring events of the days of the "border troubles." Mrs. Mary Ward, who came to Kansas long before it ceased to be the Indian Territory, and was the first white woman settler in what is now Shawnee county. Captain William J. Clark, who died at Hobart, Delaware county, New York, was the last survivor of John Brown's men. As a boy of nineteen he took part in John Brown's last raid. On the 3d of August State Senator Daniel McTaggart was murdered at Independence. He was known for his services in the State Legislature, and as the most extensive cultivator of cotton in Kansas.

**432. Sons of the Revolution.**—In February, 1897, was organized the first Kansas chapter of the Sons of the Revolution. The patriotic societies having an historical origin find a fertile soil in Kansas. The population is largely American, and a great number of families trace to a Revolutionary, and even Colonial, ancestry. The "sword of Bunker Hill" has been carefully handed down in Kansas.

**433. Relic of 1794.**—The antiquity of the navigation of the Kansas river was demonstrated by the finding, in digging for the foundation of the bridge across the river at Topeka, of the rudder of a boat, with the date "1794" carved upon it.

**434. Sunday School by Telephone.**—Kansas, in 1897, furnished the only example of a Sunday School conducted by telephone. The school was that of the First Methodist Church, at Wichita, which was directed through the phone from his sick bed by Mr. W. E. Stanley, afterwards Governor of Kansas.

The 29th of January was, in 1897, formally observed by both branches of the Legislature as "Kansas Day."

**435. Omaha Exposition.**—The year 1898 was a period of hope and prosperity, and one of the matters which engaged early attention was a proper representation of the State at the Omaha Exposition. A commission was appointed, and the State divided into four districts for the purpose of furnishing exhibits.

On the 27th of May, 1898, Professor Henry Worrall, of Topeka, who assisted in the arrangement of the Kansas exhibit at the Centennial Exhibition of 1876, stated that the Kansas display at Omaha would be ready on the day of opening, the first State to have its exhibit prepared. The Exhibition closed in October, 1898; was visited by many thousands of Kansas people; and throughout its continuance the Kansas department, which was particularly fine in its agricultural and mineral divisions, was a leading attraction.

**436. Tax Receipts.**—An added evidence of the renewed prosperity of the State was the receipt at the



State treasury, in the month of January, of \$1,500,000 in taxes. There had never been before an instance of so large a payment of taxes due so early in the year.

**437. Fire at the State University.**—On the 22d of March, the powerhouse, engine-room, and machine shops of the Kansas State University were destroyed by fire. The citizens of Lawrence advanced \$20,000 for machinery and apparatus for the restoration, and Mr. George A. Fowler, of Kansas City, Mo., generously erected a new building, at a cost of \$21,000.

**438. Ex-Governor Thomas A. Osborn.**—Ex-Governor Thomas A. Osborn died at Meadville, Pa., on the 4th of February, 1898. He was born at Meadville, October 26, 1836. He learned the printer's trade, and read law in Pennsylvania, and came to Kansas Territory in 1857. On his arrival he worked first at his trade, in Lawrence, and received the thanks of the editor and proprietor of the *Herald of Freedom* for his efficiency as foreman; afterwards he practised his profession at Elwood, Doniphan county. The bent of his genius lay, however, in the direction of politics, and he was elected from Doniphan county to the State Senate, and chosen president *pro tem.* of that body. In 1862 he was elected Lieutenant-Governor. In 1864 he was appointed United States Marshal. In 1872 he was elected Governor, and re-elected in 1874. In 1877 he was appointed United States Minister to Chili, and in 1881 to Brazil. After his return from abroad, Governor Osborn fixed his residence in Topeka, and represented Shawnee county in



Ex-Governor Thomas A. Osborn.

the State Senate. He was on a visit to his native place at the time of his death. Governor Osborn was a man of winning manners and distinguished appearance, one of the most popular of the public men of Kansas. His funeral at Topeka was attended by the fast diminishing company of Kansas Governors, and a great concourse of people.

**439. State Election.**—At the November election of 1898, the Republican ticket for State officers was elected: Governor, W. E. Stanley; Lieutenant-Governor, H. E. Richter; Secretary of State, George A. Clark; Treasurer, Frank E. Grimes; Auditor, George E. Cole; Attorney-General, A. A. Goddard; Superintendent of Public Instruction, Frank Nelson; Associate Justice, William R. Smith.

Of the members of Congress, the Republicans elected: W. J. Bailey, Congressman-at-Large; Charles Curtis, First District; J. D. Bowersock, Second District; J. M. Miller, Fourth District; W. A. Calderhead, Fifth District; W. A. Reeder, Sixth District; Chester I. Long, Seventh District. The Populists elected E. R. Ridgely, in the Third District.

**440. War with Spain.**—In Kansas, peaceful and prosperous during the year 1898, the thought of the people was yet of war—the war with Spain, and the war in the Philippines, brought on by the attack on the United States troops by the natives.

The event which created the most enthusiasm was the victory of Admiral Dewey at Manila, on the 1st of May, 1898. Kansas never before saw so many American flags unfurled to the air as in honor of the triumph of the American navy.

Kansas, far from the ocean, in the heart and centre of the continent, could hardly be expected to furnish men for the navy, and great enthusiasm was aroused by the discovery that a number of Kansas sailors participated in the battle of Manila. Their names were published with great pride throughout the length and breadth of the State.

### SUMMARY.

1. The longest Legislative session held in Kansas was that of 1897; Wm. A. Harris was elected U. S. Senator.
2. Garden City illustrates successful irrigation; an underground river discovered in Central Kansas.
3. Large oil refinery built at Neodesha.
4. The reduction of indebtedness in seven years was \$100,000,000.
5. Many old citizens died in the year 1897.
6. The first chapter of the Sons of the Revolution organized in February.
7. Kansas made good display in all departments at the Omaha Exposition.
8. Fire at University destroyed valuable property.
9. W. E. Stanley elected Governor.
10. Ex-Governor Osborn died in Meadville, Pa.

## CHAPTER XXXVII.

### KANSAS IN THE WAR.

**441. Colonel Fred. Funston and Cuba.**—Kansas people sympathized from the first with the Cubans in their struggle against the tyranny of Spain, and their knowledge of the situation was increased by the arrival from Cuba, in January, 1898, of Colonel Fred. Funston, a “Kansas boy,” a former student of the State University, with home and friends in Kansas, after a service of two years in the insurgent army in Cuba, and who spoke in many places on the incidents and the lesson of the Cuban war for freedom. The people of Kansas were deeply moved by the sufferings of the hapless Cuban non-combatants; the starving to death of 150,000 people, and the evident determination of the Spanish to exterminate the Cuban race.

**442. Destruction of the Maine.**—The treacherous destruction of the *Maine*, in the harbor of Havana, stirred the indignation of the citizens of Kansas, as it did of all loyal Americans. They waited, however, the result of the investigation, and in the meantime were generous participators in the effort to relieve the starving Cubans, especially at Matanzas.

**443. Events of Moment.**—The succession of events was watched with the most intense interest; the passage of the emergency bill appropriating \$50,000,000 for the defence of the United States; the message of President

McKinley with the Maine report; the President's message recommending the intervention of the United States; the passage by Congress of the intervention resolutions; the submission of the President's ultimatum to Spain; the beginning of the war by the act of Spain in breaking off diplomatic relations with us. Kansas, in every step for the protection of the honor of the United States, stood by the Government.

**444. Volunteers.**—The President's call for 125,000 men was issued on the 23d of April. But Kansas did not wait for the call. On the 18th of April a company of eighty men marched to the office of Governor Leedy, followed by a great crowd, and offered their services for the war, which the Governor promised to accept on the first call. On the 18th of April a tender was made Secretary of War Alger by General Charles McCrum, of the Kansas National Guards, for any needed service at any time.

The quota of Kansas when the call came was announced as 2,230 men. Governor Leedy summoned to his aid Colonel Fred. Funston, probably the only man in Kansas who had seen military service in Cuba, and the work of recruiting three regiments of volunteer infantry began at once.

**445. Action of Kansas University and the State Normal.**—The desire to enlist ran high among the young men of Kansas, and was manifested in the higher educational institutions. The council of the State University felt impelled to issue a circular, advising students to weigh the question well in their hearts and consciences before enlisting, but if they heard the voice of honor and country call, to receive the blessing of their alma mater and the admonition, "Go, and God bless you." Members of the senior class enlisting were granted their diplomas without waiting for graduation.

The State Normal School extended the same courtesy to its soldier-students.

**446. At Camp Leedy.**—It was soon announced that in Kansas the policy adopted in some of the States, of enlisting the National Guard organizations into the volunteer service, would not be followed, but that the regiments would be raised without regard to existing militia organizations. The first Kansas company recruited at Kansas City, Kan., was largely made up of men from Company B of the First Regiment, Kansas National Guard. This company was enrolled on the 29th of April, and left for Topeka on the 30th, and would have been the first in "Camp Leedy," as the State Camp laid out at the Fair Grounds at Topeka was called, had not the Topeka company marched out to camp in the morning, before the Kansas City soldiers arrived. The Topeka and Kansas City companies, however, "opened" Camp Leedy. There was a vigorous effort made to have Fort Leavenworth, where many of the Kansas regiments were mustered in the Civil War, adopted as the State rendezvous, but "Camp Leedy" continued during the war to be the spot where the Kansas soldier entered his country's service, while Fort Leavenworth was his place of exit from it.

Recruiting offices were established at various points in the State, but the recruiting officers had an easy task. To raise a company was, at most, a matter of a few days. At Emporia the quota was filled in four hours.

**447. Major Joseph K. Hudson, a Brigadier-General.**—Governor Leedy, by the 5th of May, was able to inform the War Department that two regiments were ready at Camp Leedy.

On the 27th of May, Major Joseph K. Hudson, who had won his title in the old Tenth Kansas and the Sixty-Second United States Volunteers, was nominated as a Brigadier-General from Kansas.

**448. The Twentieth.**—It was decided that in numbering the regiments, allowance would be made for the seventeen regiments Kansas raised in the Civil War, and the two recruited afterwards to fight the Indians, and accordingly the first Kansas regiment enrolled in the war against Spain should be numbered the Twentieth, which number came to be heard of on both sides of the world. The Twentieth Kansas Volunteers was made up of the twelve companies recruited at Topeka, Kansas City, Kan.; Leavenworth, Fort Scott, Independence, Ottawa, Osawatomie, Abilene, Salina, Lawrence, Leroy, and Pittsburg, and was mustered into the service of the United States on the 13th of May, 1898, with the following regimental officers: Colonel, Frederick Funston; Lieutenant-Colonel, Edward C. Little; Senior-Major, Frank H. Whitman; Junior-Major, Wilder S. Metcalf; Adjutant, William A. Deford; Quartermaster, Lafayette C. Smith; Surgeon, John A. Rafter; Assistant-Surgeon, Charles S. Huffman; Assistant-Surgeon, Henry D. Smith; Chaplain, John G. Schliermann.



General J. K. Hudson.

**449. The Twenty-First.**—The companies from Kingman, Wichita, Eldorado, Winfield, Great Bend, Larned, Osage City, Hays City, Norton, Smith Centre, and Wellington, contributed to form the Twenty-First Regiment, and were mustered on the 14th of May, with

Colonel Thomas G. Fitch, commanding; Lieutenant-Colonel, Charles McCrum; Senior-Major, Harry A. Smith; Junior-Major, W. L. Brown; Adjutant, John Nicholson; Quartermaster, John C. Little; Surgeon, Frank C. Armstrong; Assistant-Surgeon, C. E. Biddell; Assistant-Surgeon, F. W. Turner; Chaplain, W. E. Woodward.



Colonel Thomas G. Fitch.

**450. The Twenty-Second.**—The Twenty-Second Regiment was mustered on the 17th of May, made up of the companies from Columbus, Parsons, Atchison, Seneca, Holton, Concordia, Clay Centre, Blue Rapids, Beloit, Emporia and McPherson. Company H of this regiment was made up of students volunteering from the State Normal School, the State Agricultural College, the State University, Washburn College, and the College of Emporia.



Colonel Lindsey.

The regimental officers of the Twenty-Second were: Colonel, Henry C. Lindsey; Lieutenant-Colonel, James Graham; Major, A. M. Harvey; Major, Charles Doster; Adjutant, Clay Allen; Quartermaster, H. A. Lamb; Surgeon, John P. Stewart; Assistant-Surgeon, L. C. Duncan; Assistant-Surgeon, W. F. DeNeideman; Chaplain, V. H. Bidde-son.

The three regiments were sworn into the service of the United States by Lieutenant W. F. Clark, U. S. A., on duty as professor of military science at Baker University, Baldwin City, Kan.



**451. To the Field.**—On the 16th of May, 1898, the Twentieth Regiment broke camp at Topeka, and took the Union Pacific for San Francisco, under the command of Lieutenant-Colonel Little, Colonel Funston having been called for a time to Washington. The regiment traveled in a train of two sections to Junction City, and westward from that point in three. All through Kansas the soldiers were enthusiastically received. The regiment reached Oakland and San Francisco without accident, and began at once their actual life as soldiers. The Twenty-First was the next to leave, journeying to the great camp on the old field of Chickamauga, and after a brief interval, on the 25th of May, 1898, the Twenty-Second left Camp Leedy for Camp Alger, near Falls Church, Va. Thus, by the 1st of June, Kansas had three regiments mustered into the service of the United States, and in camps of instruction.

**452. Colored Troops; the Twenty-Third.**—On the 21st of June, Governor Leedy announced his intention of raising two battalions of colored troops, under the President's call for 25,000 men. James Beck, of Riley county, and John M. Brown, of Shawnee county, were bulletined as Majors. It was given out that the command of the battalions, as Lieutenant-Colonel, would be assumed by Major H. H. Young, U. S. A., but that officer remained with the Ninth Ohio, at Camp Alger. In face of many predictions of its impossibility, the enlistment of colored soldiers proceeded. By the 4th of July there were 400 men at Camp Leedy; two days later there were 550 men. On the 13th of July Governor Leedy telegraphed the War Department that two battalions were ready, and asked permission to raise a third, and was informed that the

volunteers under the President's call had been entirely apportioned. On the 28th of July, Captain Reynolds, U. S. A., mustering officer of the Twenty-Third Kansas, as the command was now called, was notified that its arms would be forwarded from Springfield, Mass., ammunition from the Frankfort arsenal, and the remainder of the equipment from Rock Island.



Lieutenant-Colonel Beck.

The regimental officers of the Twenty-Third were: Lieutenant-Colonel, James Beck, Sr.; Majors, John M. Brown and George W. Ford; Assistant-Surgeons, Charles S. Sunday and Frederick D. G. Harvey; Adjutant, Samuel T. Jones; Quartermaster, Frederick M. Stone.

**453. At the Camps.**—The summer of 1898 was a period of suspense. The Kansas regiments went through the first experience of new soldiers, including the measles. The Twentieth had the advantage of being "in town," at San Francisco, while the Twenty-First and Twenty-Second were in the "country resorts" of Camp Alger and Camp Thomas. The Kansas soldiers at San Francisco were, at first, subjected to considerable newspaper criticism on the matter of their external appearance; but it was observed, also, that more than half of the officers of the regiment were graduates of the Kansas State University.

The Twentieth grew in grace and in favor with the people of San Francisco. The Twenty-First and Twenty-Second found themselves camped in historic localities. "Camp Alger" was situated on the old plantation of Lord Fairfax, with which Washington was familiar when a

young soldier, and Camp Thomas on the bloody field of Chickamauga in the old war.

During the summer, recruiting officers visited Kansas on behalf of the Kansas regiments. In one day 100 men left Lawrence to join the Twentieth.

**454. The Twenty-Third to Santiago.**—As it turned out, the colored regiment, the Twenty-Third, was the first to leave the soil of the United States. The regiment left Topeka August 22, 1898, went directly to New York, and sailed on the *Vigilancia* for Santiago, arriving there on the 1st of September. The Twenty-Third arrived at Santiago 850 strong, in time to see the embarkation of the last of the Spanish troops for Spain. The Twenty-Third was within twenty-four hours loaded on a railroad train and transported to San Luis, an old Cuban town, where it was destined to remain until its return to the United States.

**455. The Delay.**—On the 1st of September Kansas was represented by four regiments, the Twentieth at San Francisco, the Twenty-First at Chickamauga, the Twenty-Second at "Camp Alger," the Twenty-Third at San Luis in the island of Cuba. Thus the situation remained for weeks. The Kansas regiments were the objects of the solicitude of the people of the State, and news from the camps was eagerly sought for. As heard from, the Kansas regiments bore well the test of camp life and discipline. The old soldier population took a keen interest in the progress of the young soldiers. The Kansas troops soon overcame the deficiencies and difficulties of the first days in camp, and won the good will alike of their comrades and their commanders, their only source of grief being what seemed to them the unaccountable delay in sending them to meet the enemy.

**456. Strike the Tents.**—With the middle of August came the signing of the protocol, and the evident end of the war with Spain. Many of the enlisted men felt that their mission was completed, as the foe had disappeared. In addition, both Camp Alger and Camp Thomas became subjects of complaint on account of their unhealthiness and discomfort. With the reduction determined on by the Government, of the volunteer force, came the order for the discharge of the Twenty-Second. All the regiments had in the meantime changed camps. The Twentieth had been transferred from "Camp Merritt," a dreary and inhospitable spot, to "Camp Merriam" at the Presidio. The Twenty-Second marched to Middletown, Pa., the Twenty-First was transferred from Chattanooga to Lexington, Ky.

**457. The Twenty-Second Arrives in Kansas.**—The first regiment to arrive at Fort Leavenworth, for muster out, was the Twenty-Second. The regiment arrived from Camp Meade, Middletown, Pa., on the 11th of September, 1898, in excellent condition, with but twelve men in hospital. A most kindly and enthusiastic reception was given the regiment by the people of Leavenworth. The Twenty-Second went into camp on the reservation, but the larger number of the men were given verbal furloughs for thirty days, and departed for their homes. As the companies reached the towns and cities of their enlistment they were given a hearty welcome home in the shape of dinners and receptions.

**458. The Twenty-First.**—The Twenty-First Regiment arrived at Leavenworth from Lexington, Ky., on the 28th of September. The regiment had suffered severely at Camp Thomas. The first section to arrive at Leavenworth

was the hospital train, with ninety sick men. The regiment was not held at Fort Leavenworth, but the men, sick and well, sent home on verbal furloughs. The men returned to Fort Leavenworth at the expiration of their leave, and were mustered out, the Twenty-Second on the 3d of November, and the Twenty-First on the 10th of December.

**459. The Twentieth at San Francisco.**—The Twentieth, which had left Topeka on the 16th of May, in the meantime remained at San Francisco. Seven times in five months, it is said, the regiment was assigned to transports, and as often the orders were countermanded. The last of October came, and still the regiment remained at San Francisco.

Whatever deprivations the Kansas troops were subjected to, they were not deprived of the elective franchise. As the election in Kansas drew near, the regiments were supplied with poll books and other voting conveniences.

**460. To Manila.**—On the 27th of October, the Second and Third Battalions of the Twentieth Kansas Volunteer Infantry, Colonel Funston in command, sailed on board the transport *Indiana* for Manila, and the Philippines, where the Filipino war had succeeded the Spanish War. The *Indiana* arrived at Honolulu on the 8th of November, election day, and the polls were opened on the Irmgard wharf, and the legal voters of the Twentieth went ashore and voted. On the same day the *Newport* left San Francisco with the First Battalion under Lieutenant-Colonel Little. The men went to the polls immediately after going on board, and then, in company with the Wyoming Light Battery, set sail across the wide Pacific.

The Second and Third Battalions passed four days at Honolulu, and resumed their journey. Thanksgiving Day was observed at sea, and on December 1, 1898, the *Indiana* dropped anchor in the harbor of Manila. The *Newport*, with the First Battalion, arrived on the 6th of December.



Lieutenant Alford.

The regiment was soon landed, and assigned to quarters in buildings in the vicinity of the Pasig river.

**461. The First to Fall.**—More serious business was to follow. On the night of the 7th of February, 1899, the men of the Twentieth were engaged with the Filipinos, and the gallant Lieutenant Alford was killed, and, with Private Charles Pratt, was the first to fall under the colors of the Twentieth.

**462. Battle of Caloocan.**—In this, which may be described as their first action, the Kansas soldiers displayed the qualities which have since distinguished them. The Filipinos were massed in front of the Kansans for a night attack. Companies B, C, I, and a part of E were ordered to charge the woods. With Colonel Funston on the right and Major Metcalf on the left, the line moved forward for a mile before the enemy opened fire. Company B, led by Lieutenant Alford, answered the fire. "Keep going, but move steadier," said the young officer, and fell within sixty feet of the muzzles of the enemy's guns, but the hostile line was driven. This was the fight which gave the Kansas Twentieth the right to inscribe the name "Caloocan" on its colors, for its charge carried it into the heart of that town.

**463. Death of Captain David G. Elliott.**—Every day during the operations following the fight at Caloocan, the Twentieth, with their comrades of General Harrison Gray Otis' brigade, were kept at the front, when not taking the offensive against the masses of the enemy, enduring the fire of their hidden sharpshooters. It was thus, on the 20th of February, that the gallant Captain David G. Elliott was killed.



Captain Elliott.

**464. Colonel Funston at Malolos.**—The Kansas regiment took part in the movement of March 25th, by which the enemy's line was broken in two. In the movement of March 27th, Colonel Funston and twenty of his men swam the Maricao river and captured eighty of the enemy. Colonel Funston and a party of his men were first to enter Malolos, the Filipino capital.



General Fred. Funston.

**465. Advance on Calumpit.**—In the advance on Calumpit the Twentieth Kansas moved along the railroad guarding the armored train. When the Bagbag river near the town was reached, it was found that an attempt had been made to destroy the railroad bridge and that one span had sunk in the river. Colonel Funston called for volunteers, and with Lieutenant Ball, Trumpeter Barsfield, Corporal Ferguson, and two men from Companies K and E, crawled along the iron girders, and when the broken span was reached, slid down into the water and swam to the opposite bank and drove the Filipinos, who had been

broken by the fire of Company K, out of their trenches. Company K, which covered the landing of Colonel Funston, was commanded by Captain Boltwood, of Ottawa, a veteran of the Civil War. The Twentieth was with the first to enter Calumpit.

After Calumpit, the Twentieth advanced fighting almost continuously. In the attack at San Tomas, on the 4th of May, Lieutenant Wm. A. McTaggart, of Montgomery county, was killed, the third commissioned officer lost in the brief campaign. At the crossing of the Rio Grande river the regiment highly distinguished itself. Under a heavy fire, repeated efforts were made to reach the enemy. At last Privates Trembly and White swam the river with a rope, fastened it to the enemy's trenches, and by this, a raft was towed over with Colonel Funston and his men, who swept the Filipinos out of their works. The Kansas regiment occupied San Fernando, and through the month of May thereafter was engaged with parties of the enemy, the latest recorded fight in the month being a victory at Santa Anita, north of San Fernando. General Harrison Gray Otis, in taking leave of the brigade, paid a high compliment to the Kansas regiment and Colonel Funston. The command was then assumed by General Lloyd Wheaton, U. S. A. Early in May it was announced that Colonel Funston had been promoted to be Brigadier-General. On the 20th of May General Wheaton was assigned to other duty, and General Funston assumed the command of the brigade.

The casualties of the Twentieth regiment to the 13th of May, 1899, one year from the date of muster, show the severity of their service. Three commissioned officers and twenty-seven enlisted men were killed in action, twenty-nine



enlisted men died from disease, and nine commissioned officers and ninety-eight enlisted men were wounded in action.

When the record closed, the Twentieth was still obeying the last order of its gallant young officer, who fell at Caloocan: "Keep going, but move steadily." Crowding through the dense jungle, under the blaze of a tropical sun, obeying every order, suffering, but not cast down, upholding the honor of their country and their State.

**466. Home-Coming of the Twenty-Third.**—On the 10th of March, 1899, the Twenty-Third arrived at Leavenworth. They came by transport from Cuba to Newport News, and were four days on the road between Newport News and Leavenworth. As the men dropped from the cars and fell in by companies, it was remarked that their six months in service had made them soldiers. The colored regiment met with an enthusiastic reception from their own people, who lavished upon them every attention. In a short time they were mustered out, and merged into the community of citizens.

**467. Kansas Proud of Her Boys.**—Kansas followed with pride and interest the movements of her soldiers. Many of them belonged to the first generation of Kansas, the first-born of the State; many were the sons of soldiers, the inheritors of brave traditions. In the enrollment of the Kansas soldier, with his descriptive list was given the name of his nearest relative. Kansas, the State, stood next in order to the kinsman.

The dead were brought home from beyond the wide seas and buried with honor, or laid in their graves in a distant land with the soldiers' last farewell.

## SUMMARY.

1. Kansas sympathized with the Cubans and supported the Government of the United States.
2. On the 18th of April a company of eighty-nine men was offered for the war, and the services of the Kansas National Guards were tendered.
3. Enlisting students of the senior classes of the State University, and of the State Normal School were given their diplomas in advance of graduation.
4. Major J. K. Hudson was commissioned a Brigadier-General, United States Volunteers.
5. First Kansas Regiment enrolled for war with Spain was numbered the Twentieth, and commanded by Colonel Fred Funston.
6. The Twenty-First, Colonel Fitch; Twenty-Second, Colonel Lindsey, were mustered.
7. The Twentieth left for San Francisco, the Twenty-First for Camp Thomas, Chickamauga, and the Twenty-Second for Camp Alger.
8. Two battalions of colored troops were raised—designated the Twenty-Third Regiment; under command of Lieutenant-Colonel Beck departed for Santiago.
9. After the signing of the protocol, the Twenty-First, Twenty-Second and Twenty-Third were mustered out.
10. In October the Twentieth sailed for Manila. The Twentieth first engaged in the battle of Calocan—Lieutenant Alford killed.
11. Colonel Funston promoted to be Brigadier-General.

## CHAPTER XXXVIII.

### EVENTS OF 1899.

**468. Special Session.**—The close of the year 1898, and the opening of 1899, found a special session of the Legislature assembled, which had been convened by Governor Leedy on December 21, 1898, to adopt legislation regulating railroad companies, and for other purposes. There was some discussion in regard to the validity of this special session, which was, however, established by the State Supreme Court in the following February.

**469. Inauguration.**—William E. Stanley was inaugurated Governor of Kansas on the 9th of January, 1899. The retirement of the outgoing State administration was marked by many courtesies extended to their successors.



Governor William E. Stanley.

**470. The Legislature of 1899.**—The Legislature of 1899 met in regular session on the 10th of January, with Lieutenant-Governor Richter as President of the Senate, while Hon. S. J. Osborn was chosen Speaker of the House.

**471. Provisions for State Buildings.**—The session was largely occupied in the consideration of local measures. The principal public acts were those providing for a tax levy sufficient to complete the State House, which had been

thirty-three years in building, and to build a third State Insane Asylum, and providing a commission to select the site.

**472. Traveling Libraries.**—The Legislature granted an appropriation of \$2,000 to aid, for two years, in the work of the Traveling Libraries, and provided for the appointment of a commission of three persons, who, together with the State Librarian and President of the Kansas State Social Science Federation of Clubs, shall have the management of the traveling library department of the State Library. This commission may send out temporarily, from the State Library, such books as may be selected for the purpose by the directors, and any books given or bought for such traveling libraries, to any library in the State, or to any community or organization not yet having an established library. Under the provisions of the Act, the libraries, averaging fifty books in number, are sent out



Mrs. Harriet Cushing.

from the State Library to the communities, neighborhoods and organizations applying for them, and, when read, are returned to be again dispatched. A large number of books have been donated by women's clubs and by individuals.

**473. The Federation; Kansas Women.**—The Kansas State Social Science Federation of Clubs, with whom originated this plan for the distribution of good literature, was the outgrowth of the Social Science Club of Kansas and western Missouri, the initial meeting of which was held at Leavenworth, May 18, 1881, under the suggestion of the late Mrs. Harriet Cushing, of Leavenworth, and Mrs. Mary T. Gray, of Kansas City, Kan. The women

of Kansas have, from the first, been a power for good in the State, and largely through their organizations they made possible the success of the State at the great expositions at Philadelphia and Chicago. This faculty for organization has given Kansas between three and four hundred women's clubs, devoted to the cultivation and the elevation of women, and the safety, well-being and improvement of the State.



Mrs. Mary T. Gray.

**474. Enrollment at Kansas University.**—The Kansas State University, which sent forty-one men to the war, opened its term in February, 1899, with a larger enrollment than ever before. The annual catalogue of 1899, showed an enrollment of 1,044 students.

**475. Funeral of Lieutenant Alford.**—On the 22d of April occurred, at Lawrence, the funeral of Lieutenant Alford, whose remains were brought from Manila and buried in his native city. He was the first to fall in the Philippine campaign of the Twentieth Kansas Regiment.

**476. Kansas Shipment.**—In 1898 Kansas shipped corn to California. In 1899 a feature of the State commerce was the shipment of trainloads of cotton from Independence.

**477. Colonel Thomas Moonlight.**—Colonel Thomas Moonlight died in Leavenworth on the 7th of February, 1899. He was born in Forfarshire, Scotland, and came early in life to the United States. The Civil War found him a disbanded sergeant of the "old regular army," living on a farm near Leavenworth. He entered the Union

volunteer army and raised a battery. He was soon raised to the colonelcy of a regiment, and served through the war with much distinction. In 1868 he was elected Secretary of State of Kansas, and re-elected in 1870. He filled, later in life, the positions of Governor of Wyoming, and United States Minister to Bolivia.

**478. Period of Prosperity.**—The late spring of 1899, in which this record of the life of Kansas closed, found the State in the midst of war, and yet in the midst of peace. The political contests, which had been sharp and severe for some years, and marked with mutations of fortune, had taught Kansas people that the State was safe in the hands of its honest citizens, without regard to their party designations, and there was prevailing “an era of good feeling.” The losses sustained in the collapse following the boom of 1887 had been largely made up. A singular feature of the recovery in the “boom towns,” which, in their speculative days, had scattered their houses over a great area, was their practical consolidation. Houses which had stood in empty desolation in the midst of boundless “additions,” were removed nearer to the actual center of population, renovated and repaired, and became again places of business and the homes of men.

**479. Payment of Indebtedness.**—The discharge of the heavy public and private indebtedness of Kansas was going on at a rate that surprised financial authorities, but the explanation was found in the great natural resources of the State. When asked how Kansas in seven years paid off more than \$100,000,000 of debt, it was answered that, in those seven years, Kansas produced four billion dollars’ worth of farm products and live stock.

The 30th of May, 1899, forty-five years from the day President Pierce signed the Kansas-Nebraska Bill, Kansas found that she was gathering and not scattering abroad, and had gained, withal, that wisdom which is better than fine gold.

**480. Text-Book Commission.**—The Legislature of 1897 passed the Text-Book Law in the interest of uniformity and economy. The commission was at first temporary, and took cognizance of a limited range of books. The Legislature of 1899 extended the life and powers of the commission; gave into its charge the selection of books, charts, maps, a history of Kansas, globes, and a primer, for use in the schools. The original commission consisted of Hon. Wm. Stryker, State Superintendent, *ex-officio* Chairman; W. J. Hurd, Holton, Secretary, and seven members. Two of the original members, Messrs. D. O. McCray and N. McDonald, retired, and the commission now consists of Hon. Frank Nelson, State Superintendent of Public Instruction, Chairman *ex-officio*, and W. J. Hurd, Holton; S. W. Black, Pittsburg; A. V. Jewett, Abilene; S. J. Hale, La Crosse; Professor Frank Smith, Lawrence; Professor J. W. Spindler, Winfield; Professor S. M. Nees, Independence, and A. H. Lupfer, Larned. The Text-Book Law has, since its enactment, served its purpose in securing uniformity of instruction, and relieving the people of a considerable pecuniary burden.

**481. A Kansas Prison.**—The Legislature of 1899 granted a large appropriation to purchase for the State Penitentiary a plant for the manufacture of binding twine, being the second penitentiary in the country to enter upon this manufacture. The Kansas penitentiary was established

in the earliest days of the government and grew with the growing proportions of the State. The officer who established the system of government and discipline of the prison and who longest continued in its direction was Major Henry Hopkins. The successors of Major Hopkins built upon the foundations he laid, with such faithfulness, that the prison has known few escapes, no revolts, and few complaints concerning the firm but humane treatment of the prisoners. The prison was one of the first to dispense generally with the hideous and humiliating uniform of stripes, so that the modern prison has assumed more the appearance of a large and well-ordered manufactory.

#### SUMMARY.

1. A special session of the Legislature was called for railroad legislation and other purposes.
  2. W. E. Stanley inaugurated Governor.
  3. A tax levy was provided, sufficient to complete the State House and build an insane asylum.
  4. Provisions were made for the establishment and maintenance of public traveling libraries.
  5. The funeral of Lieutenant Alford occurred at Lawrence, April 22, 1899.
  6. Colonel Thomas Moonlight died at Leavenworth, February 7, 1899.
  7. The powers of the Text-Book Commission were extended and enlarged.
- 214



## CHAPTER XXXIX.

### A CHAPTER ON CAPITOLS.

**482. Kansas Capitols.** A history of the various edifices which have been used from time to time for Kansas capitols, Territorial and State, would serve as a thread on which to string a political history of Kansas, and, moreover, a sketch of the material progress of the country.

**483. Fort Leavenworth.**—The first capital of Kansas, the first executive office, at least, was at Fort Leavenworth. Here, in obedience to his instructions from Washington, came Andrew H. Reeder, first Governor of Kansas Territory. He was assigned quarters in a brick building on the west side of the parade. The executive office was in a stone building belonging to the quartermaster's department. It was furnished with republican simplicity. Here the Governor, who had taken the oath of office in Washington, administered the obligation to his associates in the Territorial Government as they, one after another, arrived. Here he issued commissions and proclamations, and on one occasion held court as a justice of the peace.

**484. Shawnee Mission.**—After fifty days' experience at Fort Leavenworth, Governor Reeder, on the 24th of November, 1854, removed the seat of Government to the Shawnee Manual Labor School, commonly called the Shawnee Mission, located one mile from the Missouri line, two and one-half miles from Westport, Mo., and seven miles from Kansas City.

The mission had been established in 1830, and had continued as it was begun under the Superintendency of Reverend Thomas Johnson. It fell, at the division of the Methodist Episcopal Church, to the Methodist Church, South. Somewhat reluctantly, Reverend Mr. Johnson and his wife received as guests the Governor and the larger number of the Territorial officers, and saw the mission appropriated in part as the capitol of Kansas. The winter of 1854-55 passed quietly at the Mission. The Governor and his associates doubtless watching with interest the operations of the Mission, which was then at the height of its prosperity, with between 200 and 300 Indian boys and girls in attendance, who studied their books, and, besides, labored on the fine farm of 1,900 acres, and worked in the shops and the mill. The Territorial officers boarded with the Mission family, as later on did many of the members and officers of the Legislature.

**485. Pawnee.**—April 14, 1855, Governor Reeder convened the Territorial Legislature at Pawnee, a “laid-out town” near Fort Riley. There was little at Pawnee, except a stone house built “on the spur of the moment,” the ruins of which are still visible. Yet that stone house was the first “capitol building” of Kansas. The Legislature refused to remain at Pawnee, and re-located at Shawnee Mission. Pawnee came to immediate grief. The site was declared to be within the military reservation of Fort Riley, and the settlers were removed by the soldiers.

**486. Shawnee Mission.**—The Legislature, ensconced at the Shawnee Mission, proceeded to perform the acts which acquired for it the title, with the Free State people, of the “Bogus Legislature.”

Governor Reeder remained with it officially but a short time, only four days, at the end of which he informed the body that he had been removed. He remained a short time longer as a spectator.

The schoolroom and the chapel of the Mission became the halls of the Territorial Council and House of Representatives. To Shawnee Mission came the second Territorial Governor of Kansas, Wilson Shannon, and the executive office was maintained there until the spring of 1856.

The buildings of the Shawnee Mission yet remain much in outward shape as in their days of education and legislation, but in all else the scene has changed. There is naught of stir or movement now. A beautiful spring wells up near the highway, and runs a little stream across the yard of one of the buildings, where passing travelers stop and drink, but the place is lost to all its ancient uses, and the stillness all about is as profound as that which rests on the little wall-enclosed cemetery, which crowns the slope near by. The scene of a part of the "Kansas struggle" may be reached by an easy walk from Rosedale.

**487. Lecompton Chosen.**—A joint session of the Legislature in August, 1855, located the permanent capital at Lecompton. The successful contestant did not secure the prize without a struggle. Not only did Leavenworth and Lawrence enter the arena, but St. Bernard, Tecumseh, Whitehead, Kickapoo and One Hundred and Ten.

The second Territorial Legislature which assembled at Lecompton, January 12th, met in a frame house, which had been built for its occupancy by Mr. William Nace. The national administration, however, was determined on Lecompton as a capital, and Congress made a liberal appro-

riation for a capitol building, which rose only to the height of the foundation, but was sufficient to consume the appropriation. The foundation was afterwards occupied by the building of Lane University. The frame house on Elm street was the meeting place of the Lecompton Constitutional Convention, which gave the structure the name of Constitutional Hall. The second Legislature held its entire session at Lecompton, but the third Legislature, which entertained different political convictions, adjourned to Lawrence, which was thereafter virtually the capital, the successive Legislatures meeting at Lecompton, and adjourning at once to Lawrence.

**488. In Lawrence.**—Lawrence furnished two “capitols” in which the Legislature met. One is described by the local historian as the “new brick building, just south of the Eldridge House,” of which the two houses occupied the second and third floors, the other was “the old concrete building on Massachusetts street, north of Winthrop.” In Lawrence met, in 1861, the last of the Territorial Legislatures.

**489. Topeka.**—The first State Legislature met in Topeka, the temporary and soon to-be-voted permanent, seat of Government.

The “Ritchie Block,” the “Gale Block,” and the Congregational and Methodist churches served as the meeting places of the two branches of the Legislature, of the Supreme Court, and the officers of the State. “Constitution Hall” was a structure on Kansas avenue, which had witnessed five meetings of the Legislature under the Topeka Constitution. By contract with citizens of Topeka, this structure was incorporated into a more commodious edifice

in which met the Legislature of 1864, and its successors till 1870.

**490. History of Capitol Building.**—During thirty-three years the capitol of Kansas has been growing. The ground was given by the Topeka Town Association in 1862. In 1866 the Legislature provided for the erection of the east wing of the capitol building. On the 17th of October of that year the corner stone was laid. The wing was so far completed that it was occupied by the State officers in December, 1869. The legislative halls were first occupied for the session of 1870. The Legislature of 1879 provided for the erection of the west wing. The House of Representatives occupied the unfinished new hall for the session of 1881, and the State offices in that wing became occupied during that year. The Legislature of 1883 provided for commencing work on the foundation of the central portion of the building. The structure was so far completed as to admit of a temporary finishing of rooms in the basement of the south wing, and their occupancy in 1892. The Legislatures of 1891 and 1893 made but very slight appropriations for the capitol building, and the work became practically suspended until it was resumed under the appropriations of the Legislature of 1895. The capitol still remains an illustration of the history of the State, “still achieving, still pursuing.” Succeeding the line of temporary structures—frame, stone, brick and concrete—which served to house the executive, judicial and legislative departments of the government of Kansas for sixteen years, the growth of the present capitol has reflected the growth of the material State.

Year by year the halls have stretched away; inviting porticoes have reached forward; columns have arisen, and

last, the high dome has mounted upward. The interior has exhibited modern improvements and inventions, from gas to electricity. The structure is not completed, any more than Kansas is completed. But, as Kansas lives longer and learns more, the beneficial progress leaves its impress on the capitol in the shaped and fashioned stone, and steel and bronze, "from turret to foundation stone."

While the edifice has been rising, widening, extending, the prairie acres around it have been embraced in the transformation scene of which Kansas has been the stage. The Capitol Square, twenty years ago, furnished one of the first marked observances of "Arbor Day" in Kansas. On the proclamation of the Mayor of Topeka, Major Thomas G. Anderson, the people of Topeka, young and old, gathered between noon and sunset and planted around the Capitol a thousand trees.

[NOTE.—The facts in this chapter are derived from "The Story of the Capitol," contributed by Judge F. G. Adams, Secretary of the State Historical Society, to the *Topeka Mail and Breeze* of March 22, 1896.]

### SUMMARY.

1. The first Territorial Government of Kansas was quartered at a fort.
  2. The second home of the Government was at a mission.
  3. Pawnee a capital for a day.
  4. Leecompton and Lawrence offered rival attractions.
  5. Topeka became the permanent home, and the State builds its own house.
- 114

## CHAPTER XL.

### MAN AND NATURE.

**491. Opinion of Captain Pike.**—Captain Zebulon Montgomery Pike, when he looked over Kansas, in 1806, did not believe it, or the greater part of it, an agricultural, or even a habitable country.

After he had seen a good stretch of eastern and upper central Kansas, and had descended into the western valley of the Arkansas, he said: “In the western traverse of Louisiana the following general observations may be made: From the Missouri to the head of the Osage river, a distance in a straight line of probably 300 miles, the country will admit of a numerous, extensive and compact population; from thence, on the rivers La Plate, Arkansas and Kansas, and their various branches, it appears to me only possible to introduce a limited population. The inhabitants would find it most to their advantage to pay their attention to the raising of cattle, horses, sheep and goats, all of which they can raise in abundance, the earth producing spontaneously sufficient for their support, both in winter and summer, by which means their herds might become immensely numerous, but the wood now in the country would not be sufficient for a moderate population more than fifteen years, and then it would be out of the question to use any of it in manufactories, consequently their houses would be of mud bricks (like those in New Spain), but,

possibly, time may make the discovery of coal mines, which would render the country habitable." The opinion of Pike, of Kansas, was the earlier explorer's account of high prairie country. Major Stoddard, in his description of the newly acquired province of Upper Louisiana, expresses his doubt if the country forty miles from St. Louis can be cultivated on account of the absence of timber for fencing.

**492. Indian Territory Limits.**—The Government of the United States in defining, in 1830, the limits of the Indian Territory, did not give any certain western boundary. The Territory was to stretch back from the Missouri river, or the Missouri and Arkansas line for 200 miles, or "as far as the country is habitable."

Pike, in his journeyings in portions of Kansas, now covered by fields and pastures and orchards, speaks of traveling over "salines," wastes, and deserts, sterile and "wearisome heaths." As he saw it, so it appeared to those who came after him, and so the country was platted in the early maps as "The Great American Desert."

**493. Coal.**—The only possibility that Pike admits of mistake in his calculation, is, that "the discovery of coal may make the country habitable." Otherwise the country must remain at best a range, its people herdsmen and shepherds, after the fashion of those inhabiting New Spain.

In the word "discovery" has been found the key to the situation. Man has discovered coal in Kansas, and it has been discovered east, south and west of Kansas. That was the first discovery the "actual settler" made in Kansas—coal, and it has been found in increased quantities since, and the country has grown more and more habitable, and inhabited.



It has been estimated that the coal underlying the counties of Bourbon, Crawford, Cherokee and Osage, is equal to 5,000,000,000 cords of wood, or a forest that would cover half the surface of Kansas. This discovery has been made by man since Pike was here.

**494. Rain and Wind.**—The Kansas man has always felt, as did Pike, the uncertainty of the rain supply. He has attentively measured its yearly, monthly and daily fall. There are accurate weather journals in Kansas that have been kept up since 1854. The record at the State University has been kept, since 1867, three times a day. All the State institutions may be said to be weather bureaus and observatories. It has been said that the wind “bloweth where it listeth, and whither it goeth and whence it cometh ye can not tell.” That is not the literal truth in Kansas. Every wind that blows over Kansas is noted in its course and its velocity. And it is known that there have been years with a less “run of the wind” than was customary in the early settlement of the country, when the hurrying, worrying blast was one of the greatest troubles of life in the new region.

**495. The Underground River.**—The quest for water, for wells and springs beneath the surface, has never been given up in Kansas. At first, the boast of the country was, the “water within twenty or thirty feet”; but that has not been entirely satisfactory. In no country has there been a more constant search for artesian water, for the waters under the earth unaffected by surface variations or circumstances. The tradition of the “sheet water” has been followed, as the Spanish adventurers followed the story of El Dorado. The search has not been in vain.

The secret of the "underflow" has been penetrated. Flowing under central Kansas, from north to south, is the "underground river," and it has been platted and mapped quite as carefully as any surface river in Kansas, the Kansas or the Arkansas, the Blue or the Neosho. For man's use it means no one can tell how much. As far as called upon it has proved exhaustless.

**496. Oil and Natural Gas.**—Kansas has not always succeeded in finding on the first examination. How many "burning wells" and "oil springs" were noted in the early days, and yet it was necessary to wait for the finally great developments of oil at Neodesha, and the natural gas at Iola, and the salt at Hutchinson. But they were found finally, because the hunt for them never gave over.

**497. Arbor Day.**—Pike said the timber in the best timbered part of Kansas would give out in fifteen years. Pike supposed that the proper business of a pioneer and a settler was to cut down all the trees as fast as he came to them, and pile them up in heaps, and burn them. Pike had never heard of "Arbor Day." He did not suppose that the forest of an inhabited country could increase. Kansas has proved that it may. To make trees grow where once was the smooth and wearisome waste, is the great Kansas speculation and calculation. Some of the largest artificial forests and orchards in the United States are in Kansas.

**498. Kansas is Studied.**—Kansas is a great book, every page of which is studied every day. The earth and the air and the water are examined every hour, and every change, every movement is recorded. Great museums are already filled with specimens of everything that has ever

walked or crawled, or spread a fin, or wing or claw in Kansas; of everything that lives in Kansas now, of everything that was here millions of ages ago. Kansas continually "makes discovery."

Kansas maintains for this work of discovery many institutions and societies, the Kansas State Medical Society, organized in 1859, and the Kansas Academy of Science, founded in 1868, and doubtless springing from organizations yet older than themselves, are probably the present seniors among what may be called societies of research.

**499. Chancellor Snow's Discovery.**—Not only are the Kansas beasts of the field and the fowls of the air an object of ceaseless study and report, but the insects of Kansas, especially those noxious and harmful to the husbandman, are under constant surveillance. One result of this is historical.

In 1888, Professor Snow, of the Kansas State University, learned that the chinch bugs of the State were dying of a disease characterized by the appearance of a white or gray fungus. This was the first discovery. He next discovered that the disease was infectious, that it might be communicated by infected to healthy bugs. This was the second discovery, and a Kansas newspaper volunteered the information that Professor Snow would send the infectious material on application. Within a few days Professor Snow received requests from nine different States.

The discovery was followed up with true Kansas ardor. Thousands of packages of the infection were distributed over the State, and reports received from thousands of experimenters. The Legislature of 1891 made an appropriation in aid of Professor Snow's experimental station

at the University. In 1894, 8,000 packages of the infection were sent out to individual farmers in Kansas, Missouri and Oklahoma. In the meantime the States of Nebraska, Iowa, Missouri, and Illinois had followed the example of Kansas, and had established their own distributing stations. The general result of the labor and investigation kept up for years, was, that the farmer may possess a partial, if not entire, protection against one of the most destructive of the enemies of his fields. This much was demonstrated in and by Kansas.

**500. Climate and Cultivation.**—In Kansas, man has believed, and has most studiously searched to discover if the fact be true, that the cultivation of great areas of ground may affect the climate.

If, to slightly change the verse of the Kansan, "Ironquill":

Man may bid the climate vary,  
And awaiting no reply  
From the elements on high,  
May with plows besiege the sky,  
Vex the heavens with the prairie.

If this secret of Nature is ever fathomed, it will be in Kansas, because here man perpetually makes inquiry of Nature.

**501. The Great American Desert.**—In the beginning, when Kansas was transferred from the scattered, scanty and uncertain residence of Indians to the hands of white and civilized people, it was still represented on maps as the "Great American Desert;" this, of course, did not mean a scorched and sandy waste like the Desert of Sahara, but it meant an open, and for the most part uninhabited country, and destitute of the resources, as timber, which had belonged to the country previously settled in the United States.

The task of man, and which he has successfully accomplished, for the most part in less than forty years, has been to overcome the apparent deficiencies of Nature. He has, to use Pike's phrase, "made discovery." Where the old fuel, wood, was wanting, he has found coal; where there was no timber for fencing, he has found other material for fences, as wire, and has even gone without. Where there were no trees he has planted them. He has made a great fruit and orchard State, without any example or encouragement from Nature.

**502. Kansas Records.**—Of all that has been done in Kansas, careful record has been made. All labor has been accompanied by observation. All that the past generations have accomplished has been written in an open book for the guidance of generations to come. In Kansas there is passing what may be called the procession of Nature—the succession year by year of the grasses, the flowers, the wayside vegetation. In single seasons, the country has been covered with some vegetable invader which, in another year, was gone. In Kansas, thoughtful and observant eyes have watched all this, and written down the order of the march. Kansas had among its earliest settlers an unusual number of highly educated people. It is recorded that the town site of Manhattan was laid out by a party of five graduates of Eastern colleges. This element in the early population of the State not only insured the stability of the educational institutions of the new community, but it gave to the State a body of competent scientific observers, it may be said, in all departments. What might be known by the use of instruments of precision was ascertained and recorded. In Kansas nothing rests on the "traditions of the elders" or

the broken recollections of unlettered hunters. The younger generation has followed in the footsteps of the pioneer scientists and scholars. The higher schools of Kansas have been remarkable in the number and attainments of the young naturalists they have turned out. To young Kansas scholars and students the State is greatly indebted for the study of its climate, its geology, its fauna and flora, its earth and water and air. These have not confined their researches to Kansas, but have explored the neighboring States and Territories and have been especially brave, enduring and intelligent investigators of the Rocky Mountain region. Kansas naturalists have been from the far North to the far South, from the Arctic Circle to the mysterious and overgrown cities of Central America, have threaded the forests of Cuba and the tropical wilds of Yucatan.

#### SUMMARY.

1. The early explorers and the Government of the United States did not believe Kansas an agricultural country.
2. Successful efforts by man have overcome the difficulties of Nature.
3. The discovery of coal and the growth of forests.
4. The obliteration of the desert and the finding of waters under the earth.
5. Every phase of Nature in Kansas is the object of observation and record.
6. Man in Kansas contends with success against every natural enemy, including insects injurious to agriculture.

## CHAPTER XLI.

### KANSAS LITERATURE.

**503. First Printing.**—The first printing press brought to what is now Kansas was for the use of an Indian mission. The first books printed were Indian books. But few copies of these books now exist; the readers long ago departed.

**504. Kansas and the Modern Press.**—The beginnings of the modern daily American newspaper press were almost contemporaneous with the beginnings of civilized and enlightened Kansas. The use of the telegraph, in those days called the “magnetic telegraph,” for newspaper work, was, in 1854, becoming general. Power presses were first considered necessary, and another newspaper adjunct, first developed in Kansas Territory, was the “correspondent.” Several of the greatest papers of the country maintained “special correspondents” in Kansas. Many of these young men possessed much ability, and made a national reputation, as William A. Phillips, the correspondent of the *New York Tribune*. Many of these were not merely writers, but doers of the word, and took part in the battles of the Territory.

**505. The First Newspapers.**—Kansas had newspapers as soon as it had a population. The first newspaper was the Leavenworth *Herald*. Its first office was the shade of a large elm tree. Lawrence had newspapers very soon after. John and Joseph Speer and George W. Brown

became "toilers of the pen and press" at Lawrence, in October, 1854. The newspapers were all political, either for freedom or slavery. In the case of the Free State papers, their names often indicated their principles, as the *Herald of Freedom*, or *Freedom's Champion*. A great deal of talent found its way into Kansas newspaper offices of that early time. Napoleon said that every French soldier carried a marshal's baton in his knapsack; in Kansas, future governors, senators, chieftains and ambassadors carried printer's rules in their pockets.

**506. Early Observers.**—The ferment in Kansas brought to the scene interested observers, writers of present or future eminence; these wrote books about Kansas. Some of these were guide books, some histories, some narratives of personal experience. One of the first writers on territorial Kansas was Rev. Edward Everett Hale, since those days famous in the literary history of the country. Mr. Hale's book was published in 1854, and was entitled "Kansas and Nebraska: the History, Geographical and Physical Characteristics, and Political Position of Those Territories; an Account of the Emigrant Aid Companies, and Directions to Emigrants." Mr. Hale's publication was not intended as "elegant literature," but to direct Northern emigration to Kansas. Much that was written in the early days and since has been with the same purpose.

**507. Some Early Books.**—The missionaries who lived and labored in Kansas while it was still Indian country, wrote their books of their charges and their efforts. To these belong the narratives of Isaac McCoy, and Henry Harvey, who wrote a "History of the Shawnee Indians, from the Year 1681 to 1854." The "correspondent," of



whom mention has been made, collected his letters into volumes. Such were G. Douglas Brewerton's "War in Kansas," Mr. Brewerton being a correspondent of the *New York Herald*, and supposed to be impartial. Other books were not presumed to be neutral in sentiment, as "The Conquest of Kansas by Missouri and Her Allies," by William A. Phillips. Neither could the imputation of lack of feeling be charged upon "Kansas, its Interior and Exterior Life," by Mrs. Sara T. L. Robinson, wife of Governor Charles Robinson. This book ran through six or more editions, and was favorably noticed by the London reviews, and, speaking of British opinion, a very readable book about Kansas was, "The Englishman in Kansas, or Squatter Life and Border Warfare," by Thomas H. Gladstone, a Kansas correspondent of the London *Times*, and a kinsman of William Ewart Gladstone, England's great statesman. These and many more books were written in and about Kansas in the days of the "troubles," and largely inspired by the "troubles." They are, generally speaking, rare books now. In some cases the "visible supply" of them is reduced to one or two copies, but they were widely read when new, and the events of which they spoke were fresh in the public mind.

**508. Literature Affected by Environment.**—The cultivation of literature in Kansas was affected by the circumstances surrounding the country. Days of drought and famine; "domestic quarrel" and "foreign levy," Indian raid and border foray were not favorable to the production of books. But through all existed a vigorous and powerful newspaper press; as alert as a sentry on a post dangerous and beset. The pen as well as the sword was

tendered Kansas in the later fifties. In those years there came writers who remained, D. R. Anthony, D. W. Wilder, T. Dwight Thacher, Sol Miller and John A. Martin and others, and thrust in their sickles in the field, where in a way, the pioneer editors, and John Swinton, and Phillips and Albert D. Richardson and Richard J. Hinton, and more had reaped. But these last "came to stay," and to leave a permanent impress on the life and literature of the State.

**509. The Kansas Magazine.**—After the wars were over, and the piping times of peace had come, and the sword had been shaped into a pruning hook, the literary genius of Kansas was mainly devoted, for awhile, to exploiting the resources of the State. Seldom in any country have the efforts of the land agent been more powerfully aided by the pen of the ready writer. Yet it was in these days that appeared the *Kansas Magazine*, the most brilliant experiment in our literary history. The *Kansas Magazine* secured a corps of contributors (without money and without price), the larger number of whom were Kansas men and women; and much that was written referred to Kansas. The contributors who secured the largest number of readers were John James Ingalls and "Deane Monahan." Both held their ascendancy through the same merit, it might be called charm, their familiarity with the locality, with outward and visible nature. Mr. Ingalls revealed, as it had not been before, the secret of the spell of natural Kansas over the hearts of her children. "Deane Monahan," (Captain James W. Steele,) had been, before his magazine days, an officer in the regular army of the United States, and had been stationed at posts, and

made many weary marches in the far West. He made familiar to Kansas readers the desert earth and the vast sky, the cañon and the mesa, of New Mexico. It is probably true until he wrote of it, that few had ever seen a picture of the "Jornada del Muerto," the "Journey of Death."

While the *Kansas Magazine* had but a comparatively brief existence, it made a lasting literary sensation. Bound volumes of it are now deemed valuable, and odd numbers are eagerly gathered up.

**510. Two Books Invaluable.**—After the magazine period, appeared two books of incalculable value to Kansas; Wilder's "Annals of Kansas," and Andreas' "History of Kansas"—the latter known to Kansas people by a much more commonplace name. Neither of these books was written with any attempt at literary excellence, they are merely collections of "facts and figures." The "Annals" represent the knowledge and industry of one Kansas man; the "History" was the work of a great number of persons. They form in Kansas the basis of history. So complete are they in their field that Kansas history can not be written without them.



D. W. Wilder.

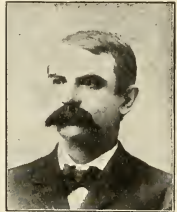
**511. Local Histories.**—It will be found that, in the brief time allowed, Kansas has "celebrated herself." In addition to the "Annals" and the "History" already mentioned, there have been written many local histories. In 1876, the Centennial year, special interest was manifested in the preservation of the chronicles of Kansas counties,

and many volumes were written. They were of much present interest, and will serve as helps and guides to future annalists. Most valuable, too, are the biennial volumes issued by the State Historical Society. They contain what may be called history "at first hands," the stories of actors and eye witnesses. In these are supplemented the few "war histories" written by Kansas authors, as Burke's "Military History of Kansas," Hinton's "Army of the Border," and Britton's "Civil War on the Border." The story of life on the great plains, and the mountains beyond them has been told in the volumes of Colonel Henry Inman.

**512. A Kansas Library.**—The Reverend J. W. D. Anderson made a collection of Kansas books. Mr. Anderson was a native Kansan of literary taste and feeling, and the gathering together of all the books of or about Kansas, was with him a labor of love, which he performed with great fidelity. Before Mr. Anderson's death his collection passed into the possession of the Kansas State University, and now forms a part of the University library. Many additions have been made in all departments since the day of the "Anderson Collection," but the best and most sufficient estimate of the literary work done in the first thirty years of the life of Kansas may be formed by an inspection of its volumes.

**513. Poetry of Kansas.**—Of poetry, Kansas may be said to have produced much. No great epic poem has yet appeared; no single song with the assurance of being sung forever, but much of graceful, and sometimes of inspiring verse, which has been preserved and cherished as the poet has been faithful in two things, to life as it is in

Kansas, and the human heart as it is everywhere. This has kept in mind Mrs. Allerton's "Walls of Corn," and Eugene Ware's "Washerwoman's Song." Kansas verse has been gathered in modest volumes, as in Miss Horner's "Songs of Kansas," and the sheaf of verses by members of the State University called "Sunflowers." Nearly all has been in the first instance given to the newspapers, and often has received no more permanent form. The tender and graceful poems of the brilliant Josie Hunt, of Kansas, have never ceased their newspaper journey in nearly, or quite forty years. The poems of Richard Realf—earliest of Kansas poets, and whose life was a tragedy—were given, with scarcely a thought, to the press. Recently, Richard Realf's friend in the old Kansas days, Colonel Richard J. Hinton, has gathered up the poems from far and wide, and given them to readers in preservable form.



Eugene Ware.

Kansas poetry, so far as it has been affected by Kansas, has reflected the infinite quiet of the great wide land; of the immense blue arch of heaven. When the storm and stress of the first days is remembered, there seems to be little in our verse of the stir of conflict, and the ring of steel, or the gaiety that valor knows. An exception to this rule is preserved in Wilder's "Annals," written by an unknown hand. It will be understood that K. T. are the initials of Kansas Territory. The verses originally appeared in the long deceased periodical, *Vanity Fair*, in September, 1861.

## K. T. DID.

From her borders, far away,  
Kansas blows a trumpet call,  
Answered by the loud "hurrah"  
Of her troopers, one and all.  
'Knife and pistol, sword and spur!'"  
Cries K. T.—  
'Let my troopers all concur,  
To the old flag, no demur—  
Follow me!'"

Hence the song of jubilee.  
Platyphillis from the tree,  
High among the branches hid,  
Sings all night so merrily—  
"K. T. did,  
She did—she did!"

Thirty-score Jayhawkers bold,  
Kansas men of strong renown,  
Rally round the banner old,  
Casting each his gauntlet down.  
Good for Kansas," one and all  
Cry to her;  
Riding to her trumpet call,  
Blithe as to a festival,  
All concur!

Hence the revel and the glee,  
As the chanter from the tree,  
High among the branches hid,  
Sings all night so merrily—  
"K. T. did,  
She did—she did!"

**514. Other Kansas Contributions.** — Kansas has contributed in many ways to what may be called the literature of the country. Many Kansans, going abroad,

have written books of travel; many books have been written on social questions, mostly embodying "advanced views," but what may be termed the literary bent of the State has been in the direction of sketch writing, newspaper and magazine writing, which, in time, may grow and gather into books. Of course the myriad-minded Shakespeare has been remembered. Kansas has produced Wilder's "Life of Shakespeare" and Randolph's "Trial of Sir John Falstaff." Both treating the great dramatist originally and profitably.

No Kansas author has as yet written a "great" or "standard" work on any subject, for the reason that no Kansas writer has yet found a lifetime to devote to such. A large number of Kansas writers, usually young men and women, are contributors to the leading magazines, reviews and literary journals of the country. The story-teller is the coming man in Kansas; the people will gather about him. Of later years, among those who have attracted attention may be mentioned Edgar W. Howe's "The Story of a Country Town"; the newspaper sketches of Harger, Morgan, Albert Bigelow Paine, and William Allen White. The widest circulation ever attained by the works of a Kansas author, has been by the stories of Rev. Charles M. Sheldon, of Topeka, "In His Steps," and the succeeding volumes have been sold in many thousands, and translated into various modern languages. These books are of a deeply religious character, and are visions of the "good time coming" hoped for. Many of the Kansas men and women are equally facile in prose and verse, and it is remarked that John James Ingalls, whose prose illuminated the old *Kansas Magazine* and has been an attraction to

Kansas readers always, has written the most perfect single verse in Kansas literature:

#### OPPORTUNITY.

Master of human destinies am I;  
Fame, love and fortune on my footsteps wait.  
Cities and field I walk. I penetrate  
Deserts and seas remote, and, passing by  
Hovel and mart and palace, soon or late,  
I knock unbidden once at every gate.  
If sleeping, wake; if feasting, rise, before  
I turn away. It is the hour of fate,  
And they who follow me reach every state  
Mortals desire, and conquer every foe  
Save death; but those who hesitate,  
Condemned to failure, penury and woe,  
Seek me in vain, and uselessly implore.  
I answer not and I return no more.

#### SUMMARY.

1. The printing press first brought to Kansas for Indians.
2. The opening of Kansas Territory was nearly contemporaneous with the advent of the modern daily newspaper.
3. The Territorial period was the subject of remarkable books.
4. Kansas from the first possessed a vigorous, powerful and alert newspaper press.
5. The *Kansas Magazine* a brilliant literary experiment.
6. Two fountains of Kansas history.
7. The varied efforts of Kansas writers cover largely the field of present interest in poetry and prose, and Kansas and Nature.

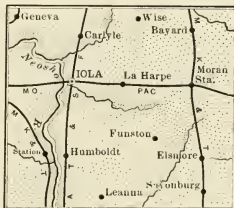


# APPENDIX.

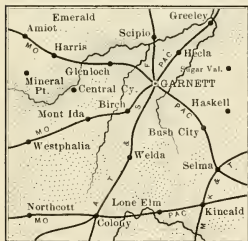
## THE STATE OF KANSAS.

ORIGIN OF NAME, LOCATION OF COUNTY SEAT AND DATE OF ORGANIZATION OF EACH COUNTY.\*

**Allen.**—Organized in 1855. County seat, Iola. Named in honor of William Allen, of Ohio, who was for many years a member of the United States Senate from that Commonwealth, and also its Governor. He favored the doctrine of popular sovereignty on the opening of the Territory of Kansas to settlement.



Allen.



Anderson.

**Anderson.**—Organized in 1855. County seat, Garnett. Received its name from Jos. C. Anderson, of Missouri, who was a member of the first Kansas Territorial Legislature, and Speaker *pro tem.* of the House of Representatives.

**Atchison.**—Organized in 1855. County seat, Atchison. Named for



Atchison.

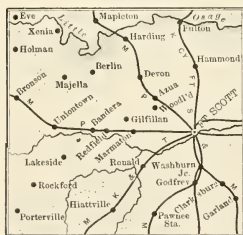
David R. Atchison, a Senator from Missouri, and President of the United States Senate at the date of the passage of the Act for the organization of the Territory of Kansas. He was a Pro-Slavery Democrat, and zealous partisan leader in the discussions and movements affecting the interests of slavery and its attempted establishment in the new State to be created.

\*By permission, from Admire's Political Hand Book of Kansas. Crane & Co., Topeka.



Barber.

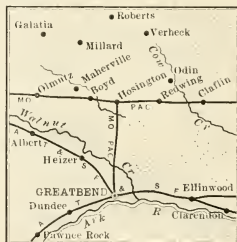
**Barton.** — Organized in 1872. County seat, Great Bend. In honor of Miss Clara Barton, of Massachusetts, who won great distinction during the war for the Union by her remark-



Bourbon.

nine counties organized in 1785 by the Virginia Legislature, before Kentucky became an independent State. It was so called as a compliment to the Bourbon dynasty of France, a prince of that family (then on the throne) having rendered the American colonies their great struggle for independence. Colonel Samuel A. Williams, a native of

**Barber.**—Organized in 1873. County seat, Medicine Lodge. In honor of Thomas W. Barber, a Free State settler of Douglas county, who was killed in consequence of the political troubles, near Lawrence, December 6, 1855. (The county was originally named in the statute as "Barbour," but was corrected by special act of the Legislature in 1883.)



Barton.

ably effective philanthropic career in the sanitary department of the army.

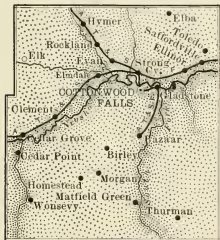
**Bourbon.** — Organized in 1855. County seat, Fort Scott. Received its name from Bourbon county, Ky., the latter having been one of the



Brown.

Bourbon county, Ky., was a member of the House from Fort Scott in 1855, and it was at his request that the county was so named. He was mustered in as Captain of Company I, Second Kansas Cavalry, November 22, 1861, and resigned March 28, 1862. He died at his old home, Fort Scott, in August, 1873.

**Brown.**—Organized in 1855. County seat, Hiawatha. After Albert G. Browne, of Mississippi, who had been Senator and member of the House of Representatives from that State, was United States Senator at the date of the Act organizing Kansas Territory, was re-elected for six



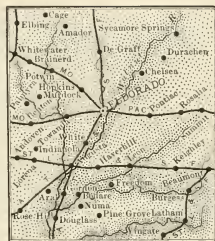
Chase.

years in 1859, but withdrew with Jefferson Davis on the secession of the Southern States. The name is properly spelled with an *e* in the original statute, but on the county seal the *e* was left off—accidentally, probably. All later statutes present the name without the final *e*.

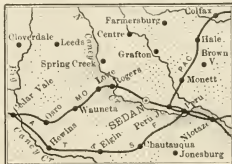
**Butler.**—Organized in 1855. County seat, Eldorado. For Andrew P. Butler, who was United States Senator from South Carolina, from 1846 to 1857.

**Chase.**—Organized in 1859. County seat, Cottonwood Falls. Created out of portions of Wise and Butler counties, and named in honor of Salmon P. Chase, successively Governor of Ohio, United States Senator, Secretary of the Treasury, and Chief Justice of the Supreme Court. In the Senate he was earnest in his opposition to the extension of slavery into Kansas.

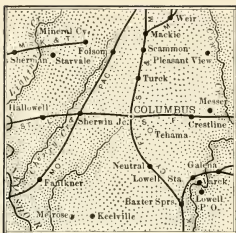
**Chautauqua.**—Organized in 1875. County seat, Sedan. Created out of a portion of what was first Godfrey county, named after "Bill" Godfrey, a noted trader among the Osages; then Howard county, in honor of Major-General O. O. Howard, for his efforts in behalf of the Union. Chautauqua county, N. Y., was the former home of Hon. Edward Jaquins, a member of the Kansas Legislature in 1875 from Howard county, who



Butler.



Chantauqua.



Cherokee.

which embraced all the territory of Seward and a five-mile strip additional on the west.

**Cherokee.**—Organized in 1866. County seat, Columbus. First named McGee in 1855, for E. McGee, of Missouri, who was a member of the Territorial Legislature. In 1866 the name



Clay.

Cherokee was adopted, from the fact that a large portion of the "Cherokee neutral lands," reservation of that tribe of Indians, was included in the geographical area of the county.

**Clay.**—Organized in 1866. County seat, Clay Center. Named in honor of the distinguished Kentucky statesman, Henry Clay, who was chosen United States Senator in 1806. He afterwards served in both houses, and was in public life most of the time during a period of forty-six years. He was minister to England and France, and candidate for

introduced the Bill which divided Howard into Chautauqua and Elk; hence, from his native place this county derives its name. The name originally given (in 1855) to Howard county was Godfrey, and the name was changed to Seward in 1861. In 1867 the Legislature, ignoring former names, created the county of Howard,

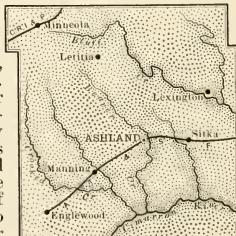


Cheyenne.

**Cheyenne.**—Boundaries defined in 1873. Organized April 1, 1886. County seat, St. Francis. Named after the Indian tribe of that name.

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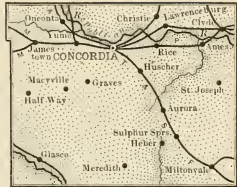


Clark.

President in opposition to Polk. He died in Washington in 1852.

**Clark.**—Organized May 5, 1855. County seat, Ashland. Originally and correctly Clarke, with a final *e*, in memory of Charles F. Clarke, Captain and Adjutant-General, United States Volunteers, who died at Memphis, December 10, 1862.

**Cloud.**—Organized as Shirley, in 1860. County seat, Concordia. The



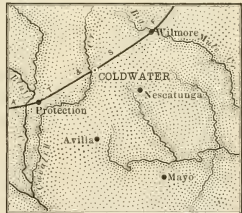
Cloud.



Coffey.

Council. Colonel Coffey died at Dodge City in 1879.

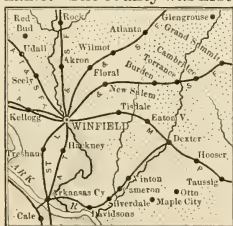
**Comanche.**—Organized February 27, 1885. County seat, Coldwater. Named from the Indian tribe of that name. The county was first organized



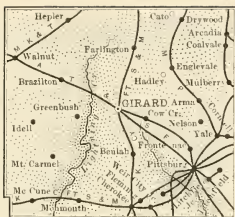
Comanche.

in the fall of 1873, under a general law then in force, and was represented in the Legislature under that organization in 1874; but that organization was held fraudulent and void.

**Cowley.**—Organized in 1870. County seat, Winfield. Named in honor of Matthew Cowley, First Lieutenant of Company I, Ninth Kansas Cavalry, who died in the service October 7, 1864, at Little Rock, Ark. The county



Cowley.



Crawford.

was elected Governor in 1864, and served nearly four years. The Legislature named the county in obedience to a resolution passed in convention, held to petition for its organization. Governor Crawford resigned in October, 1868, to become Colonel of the



Dickinson.

modore Barron, United States Navy, in 1808.

**Dickinson.** — Organized in 1857. County seat, Abilene. In honor of Daniel S. Dickinson, who was a Senator from the State of New York. In 1847 he introduced, in the United States Senate, resolutions respecting

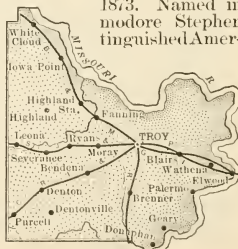
was originally named Hunter, after R. M. T. Hunter, of Virginia.

**Crawford.** — Organized in 1867. County seat, Girard. This county was, by an Act of the Legislature of 1867, created out of the northern half of Cherokee, which prior to that date reached to Bourbon. It was named in honor of Samuel J. Crawford, who



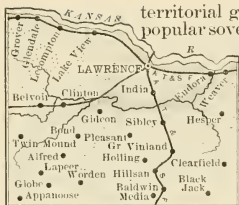
Decatur.

**Decatur.** — Organized in 1879. County seat, Oberlin. Boundaries defined by legislative enactment in 1873. Named in modore Stephen tingished Amer-



Doniphan.

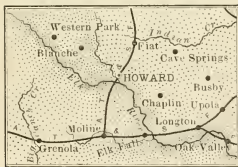




Douglas.

san in the effort made to extend slavery into Kansas.

**Douglas.** — Organized in 1855. County seat, Lawrence. In honor of Stephen A. Douglas, United States Senator from Illinois, and candidate for the presidency in 1860. As a Senator, Douglas, in 1854, took a leading part in securing the adoption



Elk.

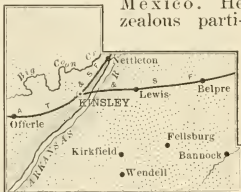
of the "pop-

**Elk.** — Organized in 1875. County seat, Howard. Created out of the northern portion of what had been Howard county. Named for the Elk river, which traverses its area from northwest to southeast. (See Chautauqua.)

**Ellis.** — Organized in 1867. Hays is the county seat. Named in memory

territorial government, embodying the doctrine of popular sovereignty, afterwards incorporated in the Bill for the organization of Kansas Territory. He died in 1866.

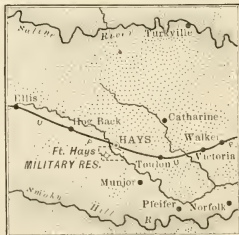
**Doniphan.** — Organized in 1855. County seat, Troy. In honor of Col. A. W. Doniphan, of Missouri. He commanded a regiment of cavalry during the Mexican War, marching across the plains, and taking a very prominent part in the conquest of New Mexico. He was a zealous parti-



Edwards.

zealous parti-

**Edwards.** — Organized in 1874. County seat, Kinsley. Named in honor of John H. Edwards, of Ellis, State Senator.



Ellis.

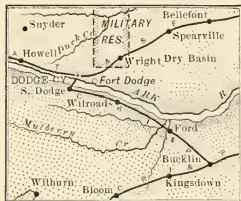
of George Ellis, First Lieutenant of Company I, Twelfth Kansas Infantry, killed in battle April 30, 1864, at Jenkins' Ferry, Ark.

**Ellsworth.** — Organized in 1867. County seat, Ellsworth. Named after Fort Ellsworth, a military post built on the bank of the Smoky Hill, in 1864. This fort was so called by General Curtis, in honor of the officer



Ellsworth.

who constructed it, Allen Ellsworth, Second Lieutenant of Company H, Seventh Iowa Cavalry. When the name was adopted for the county it was supposed that the fort had been named in memory of Colonel E. E. Ellsworth, of national fame.



Ford.

seat, Dodge City. Named in honor of Colonel James H. Ford, of the Second Colorado Cavalry, and Brevet Brigadier-General United States Volunteers.

**Franklin.** — Organized in 1855. County seat, Ottawa. Named in honor of the illustrious Benjamin Franklin.

**Finney.** — Organized in 1884. County seat, Garden City. Originally Sequoyah, from the celebrated Chero-



Franklin.

kee Indian of that name, the inventor of the alphabet of his language, and a most remarkable man. Changed in 1883 to Finney, in honor of D. W. Finney, then Lieutenant-Governor of the State.

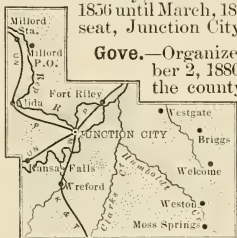


Finney.

**Geary.** — Organized in 1855 as Davis county, which name was given for Jefferson Davis—United States Senator and Secretary of war—who became President of the Southern Confederacy.

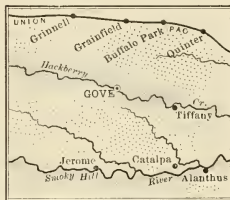


The Legislature changed the name to Geary, in 1889, in honor of John W. Geary, who was Territorial Governor of Kansas from 1856 until March, 1857. County seat, Junction City.



Geary.

**Gove.**—Organized September 2, 1886. Gove is the county seat. In honor of Captain Grenville L. Gove, Eleventh Kansas Cavalry, who died in 1864.



Gove.

**Graham.**—Organized in 1880. County seat, Hill City. In honor of Captain John L. Graham, of the Eighth Regiment, Kansas Infantry—killed in action at Chickamauga, Tenn., September 19, 1863, before he was mustered.



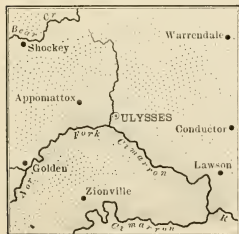
Graham.

**Grant.**—Organized June 9, 1888. County seat, Ulysses. Named in honor of General Ulysses S. Grant.

**Gray.**—Organized July 20, 1887. County seat, Cimarron. Named in honor of Alfred Gray, late Secretary of the State Board of Agriculture.

**Greeley.**—Organized July 9, 1887. County seat, Tribune. Named in honor of the founder of the New York Tribune.

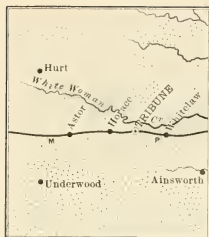
**Greenwood.**—Organized in 1862. County seat, Eureka. This county received its name



Grant.

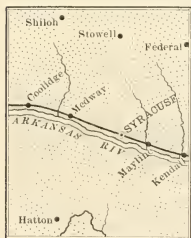


Gray.



Greeley.

organized in 1873. County seat, Anthony. The organization of this county was one of the most glaring frauds ever perpetrated in the State. Attorney-General Williams, in his official report, says: "It is not pretended



Hamilton.

that Harper county ever had an inhabitant." The form of its organization was legal on paper, and that is all. In 1878 the organization became legal. The county was named in memory of Marion Harper, first Sergeant of Company E, Second Regiment Kansas Cavalry. He was mortally wounded at Waldron, Ark., December 29, 1863, and died the following day. His comrades say he took his death coolly. When brought in wounded, he proposed a wager that in so many hours he would be dead; the bet was taken, and Marion Harper won.

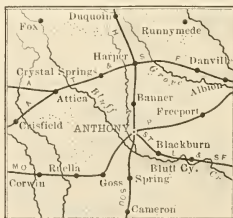
**Harvey.**—Organized in 1872. County seat, Newton. Named for James M. Harvey, Captain of Company G, Tenth Regiment of Kansas Infantry, and Governor of the State from 1869 to 1873. In January, 1874, he was elected

as a compliment to Alfred B. Greenwood, who, about the time of the organization of the Territory, was commissioner of Indian affairs. He negotiated treaties on the part of the United States with the Sac and Fox, and other tribes in southern Kansas.

**Hamilton.**—Organized January 29, 1886. County seat, Syracuse. In honor of General Alexander Hamilton, the great American statesman; he was killed in a duel with Aaron Burr, July 11, 1804.



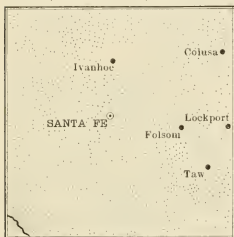
Greenwood.



Harper.

United States Senator to fill an unexpired term ending in 1877.

**Haskell.**—Organized July 1, 1887. County seat, Santa Fe. Named in honor of Dudley C. Haskell, of Lawrence, who died, while serving the



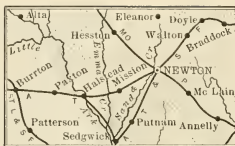
Haskell.

action at Wyatt, Miss., October 10, 1863. The name should be spelled *Hodgman* without the *e*—it was so spelled in the original statute of 1868, which created the county, but by accident—probably—in the statute which defined its boundaries in 1873, the *e* was inserted. Of course it is legally *Hodgeman*, and must remain orthographically incorrect until changed by legislative enactment.

**Jackson.**—Organized in 1857. County seat, Holton. Originally Calhoun, in honor of John C. Calhoun, of South Carolina, changed in 1859 to Jackson, after Andrew Jackson, seventh President of the United States.



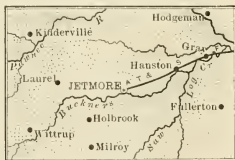
Jackson.



Harvey.

State as Congressman, December 16, 1883.

**Hodgeman.**—Organized in 1879. County seat, Jetmore. Named in honor of Amos Hodgman, Captain of Company H, Seventh Kansas Cavalry. He died October 16, 1863, near Oxford, Miss., of wounds received in an



Hodgeman.

**Jefferson.**—Organized in 1855. County seat, Oskaloosa. In honor of Thomas Jefferson,



Jefferson



Jewell.

**Johnson.**—Organized in 1855. County seat, Olathe. Named for Rev. Thomas Johnson, who in 1829 established a mission among the Shawnee



Kearny.

Indians, about eight miles southwest of Kansas City. Mr. Johnson took the Pro-Slavery side of politics, and was

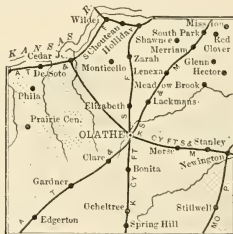
**Kearny.**—Organized March 27, 1888. County seat, Lakin. Named after General Kearny, who commanded United States troops in



Kiowa.

third President of the United States—author of the Declaration of Independence.

**Jewell.**—Organized in 1870. County seat, Mankato. Named in memory of Lieutenant-Colonel Lewis R. Jewell, Sixth Kansas Calvary, who died November 30, 1862, of wounds received in the battle of Cane Hill, Ark., November 28, 1862.



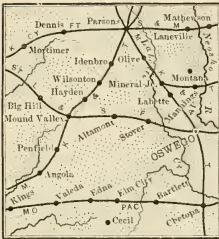
Johnson.



Kingman.

the West during the Indian troubles.

**Kingman.**—Organized in 1874. County seat, Kingman, which was named in honor of Samuel A. Kingman, who was then Chief Justice of Kansas.

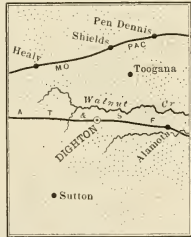


Labette.

**Kiowa.**—Organized March 23, 1886. County seat, Greensburg. Named after the Kiowa Indians.

**Labette.**—Legally organized in 1867. County seat, Oswego. Originally part of Dorn county, after Colonel Earl Van Dorn, of the regular army (he was also a Confederate officer), but changed from Dorn to Neosho in 1861, after name of the principal river in southern Kansas. Labette county has a peculiar history, not generally known, or at least not found in the books. Prior to the summer of 1866 all that part (and being the south half) of Neosho county, now com-

prising Labette, was sparsely populated. In the spring of 1866 there was a great rush of immigration to that locality, and the new settlers proceeded to organize a government of their own. They gave the name Labette (then written La Bette), and called a convention, nominated a full set of county officers, and a representative to the State Legislature, and elected them at the November election, and started a county government—for all of which no authority of law whatever existed. The "Representative" so elected was Charles H. Bent, who reported at Topeka with a petition, "signed by John G. Rice and 224 other citizens of Labette county," asking that Mr. Bent be admitted to a seat in the House. He was admitted, and afterwards



Lane.

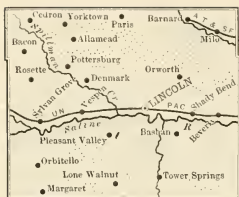
introduced a Bill to "organize and define the boundaries of Labette county," which passed, and was approved the 7th of February, 1867. The word La Bette is French, and signifies "the beet."

**Lane.**—Organized June 3, 1886. Boundaries defined in 1873. County seat, Dighton. In honor of Senator James H. Lane, of Kansas.

**Leavenworth.**—Organized in 1855. County seat, Leavenworth. From Fort Leavenworth, the most important military post in the West. It was established in 1827, and was named after Colonel Henry H. Leavenworth, of the United States Army.



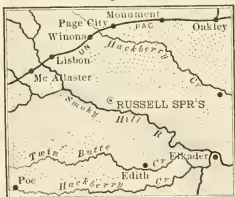
Leavenworth.



Lincoln.

**F. Linn**, a distinguished United States Senator from Missouri, who died in 1843, in office. He was a colleague of Hon. Thos. H. Benton.

**Logan**.—Organized September 17, 1887. County seat, Russell Springs.



Logan.



Lyon.

**Lincoln**.—Organized in 1870. County seat, Lincoln. Named in honor of Abraham Lincoln, sixteenth President of the United States, and author of the emancipation proclamation, who was assassinated April 14, 1865.

**Linn**.—Organized in 1855. County seat, Mound City. Named for Lewis



Linn.

By an Act of the Legislature in 1887, the name of the then unorganized county of St. John was changed to Logan, in honor of the late General John A. Logan.

**Lyon**.—Organized in 1860. County seat, Emporia.

Named by the first Legislature, Breckinridge, in honor of John C. Breckinridge, United States Senator from Kentucky, and who afterward became Vice-President of the United States in 1856. Name changed in 1862 to Lyon, in honor of General Nathaniel Lyon, who was killed while in command of the Union Army at

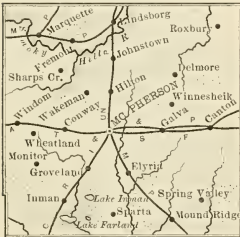


Marion.

the battle of Wilson's creek, Missouri, August 10, 1861.

**Marion.**—Organized in 1860. County seat, Marion. Named for Marion county, Ohio, which was so-called in memory of General Francis Marion, of revolutionary fame.

**Marshall.**—Organized in 1855. County seat, Marysville. After Gen-



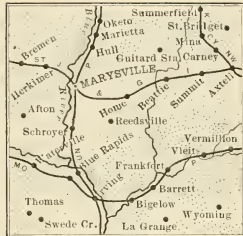
McPherson.

plied to the county. Marysville was declared the permanent county seat by the Legislature in 1860.

**McPherson.**—Organized, 1870. County seat, McPherson. In honor of Major-General James B. McPherson, United

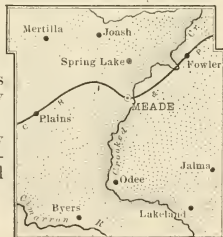


Miami.



Marshall.

eral Frank J. Marshall, who established a ferry on the Big Blue at the crossing of the old Independence-California road in 1849. He was a prominent member of the first Legislature, and had his own name ap-



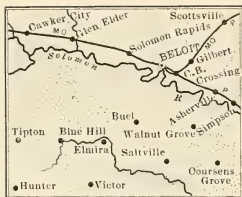
Meade.

States Volunteers, who was killed in battle at Atlanta, Ga., July 22, 1864.

**Meade.**—Organized November 3, 1885. County seat, Meade. Named in honor of Major-General George G. Meade, United States Army, who died in 1872.

**Miami.**—Organized in 1855 under the name of Lykins. County seat,





Mitchell.

Union army as a private in Company K, Second Kansas Cavalry; was promoted to Captain in the Second Kentucky Cavalry, and killed March 10, 1865, at Monroe's Cross Roads, N. C.

**Montgomery.**—Organized in 1869. County seat, Independence. Named for Gen. Richard Montgomery, born in Ireland, December 2, 1736; was an officer of



Morris.

**Morris.**—Organized as Wise in 1855. County seat, Council Grove. Originally named for Henry A. Wise, who was Governor of Virginia during the John Brown seizure of Harper's Ferry. The execution of that "grand old man," at Charlestown, December 2, 1859, was one of the last acts of Wise's administration. Name was changed to Morris in February, 1859, in honor of Thomas Morris, a United

Paola. In honor of Dr. David Lykins, who was a missionary among the Miami. He was also a member of the first Territorial Council. Name changed in 1861 to Miami, after the tribe of Indians.

**Mitchell.**—Organized in 1870. County seat, Beloit. In honor of William D. Mitchell, who entered the



Montgomery.

distinction in the British Army; resigned and settled in New York State in 1773; was appointed one of the eight Generals to command the Revolutionary army of America, in 1775; was killed in the attack on Quebec, December 31, 1775, shouting, "Death or liberty!"

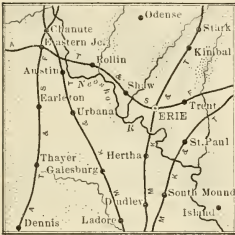


Morton.



States Senator from Ohio in 1832, who distinguished himself as an opponent of slavery. He died in 1844.

**Morton.**—Organized November 18, 1886. County seat, Richfield. Was named in honor of Honorable Oliver P. Morton, of Indiana.



Neosho.

and changed in 1861 to Neosho, after the Neosho river, which traverses the county from northwest to southeast. The name was given to the river by the Osages.

**Ness.**—First Organized in 1873. County seat, Ness City. Disorganized in 1874; reorganized in 1880. Named in honor of Noah V. Ness, Corporal of Company G, Seventh Kansas Cavalry, who died Aug.



Ness.

22, 1864, at Abbeyville, Miss., of wounds received in action August 19, 1864.

**Norton.**—Organized in 1872. County seat, Norton. In memory of Orloff Norton, Captain of Company L, Fifteenth Kansas Cavalry, killed by guerrillas at Cane Hill, Ark., October 29, 1865. In 1873 the county was represented by one N. H. Billings, who, in consequence of his peculiarities, became a sort of butt of the Legislature.



Norton.



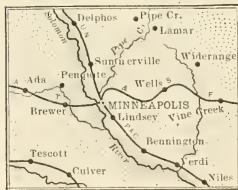
Nemaha.



Osage.

nally named for John B. Weller, of Ohio, member of Congress, and Governor of that State; also Governor of California and Senator, Minister to Mexico, etc. The name Osage comes from the Osage river, the headwaters of which stream drain almost the entire county. Lyndon is the county seat.

**Osborne.**—Organized in 1871. County seat, Osborne. Named in honor of Vincent B. Osborne, Private of Company A, Second Kansas Cavalry, who lost his right leg January 17, 1865, on the steamer *Anna Jacobs*, at Joy's Ford, on the Arkansas river.



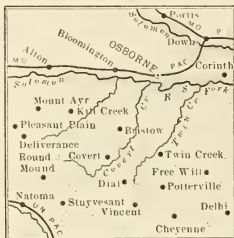
Ottawa.

once powerful tribe of Pawnee Indians, the area of this county having been included in their original hunting grounds.

**Phillips.**—Organized in 1872. County seat, Phillipsburg. Named in memory of William Phillips, a Free-State martyr, murdered September 1, 1856, in Leavenworth.

A member of the Senate at the time had the name of Norton changed to Billings, in two lines hidden in a paragraph of a Bill fixing the boundaries of certain counties. The next Legislature restored the name of Norton.

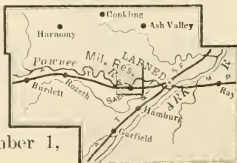
**Osage.**—Organized as Weller county in 1855; name changed to Osage in 1859. Original



Osborne.

**Ottawa.**—Created in 1860, and organized in 1866. County seat, Minneapolis. Named for the tribe of Ottawas.

**Pawnee.**—Organized in 1872. County seat, Larned. Named for the



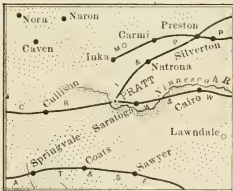
Pawnee.



Phillips.

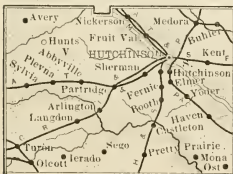
Lieutenant of Company D, First Kansas Infantry, killed in action August 10, 1861, at Wilson's creek, Mo.

**Rawlins.**—Organized in 1881. County seat, Atwood. Named in



Pratt.

**Reno.**—Organized in 1872. County seat, Hutchinson. In memory of



Reno.

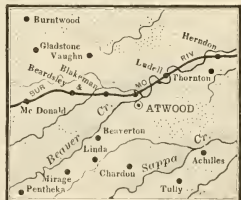
**Pottawatomie.**—Organized in 1856. County seat, Westmoreland. Named for the Pottawatomie Indians, whose reservation at the opening of Kansas Territory for settlement, and for years afterward, embraced a large portion of the geographical area of the county.

**Pratt.**—First organized in 1873. County seat, Iuka, but not recognized in consequence of frauds. Pratt is now the county seat. Organized constitutionally in 1879. Named in memory of Caleb Pratt, Second



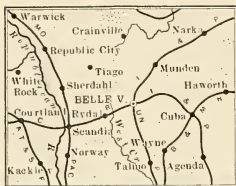
Pottawatomie.

memory of Gen. John A. Rawlins, who was a staff officer of General Grant, and went into his cabinet, when elected President, as Secretary of War.



Rawlins.

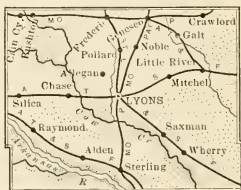
Jesse L. Reno, Captain United States army, and Major-General of volunteers, who was killed in battle, Sept. 14, 1862, at South Mountain, Md.



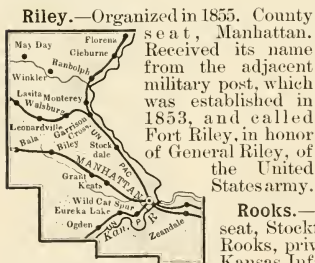
Republic.

**Republic.**—Organized in 1868. County seat, Belleville. Received its name from the Republican river, which extends through the county. The river was so called because many years ago the valley of that stream was the seat of the "Pawnee Republic," a designation given to a principal division of the Pawnee Indians, or *Panis*, as they were originally known.

**Rice.**—County seat, Lyons. Named in memory of Samuel A. Rice, Brigadier-General United States volunteers; killed April 30, 1864, at Jenkins' Ferry, Ark.



Rice.



Riley.

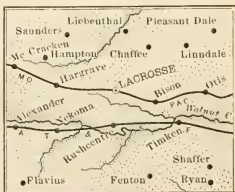
**Riley.**—Organized in 1855. County seat, Manhattan. Received its name from the adjacent military post, which was established in 1853, and called Fort Riley, in honor of General Riley, of the United States army.

**Rooks.**—Organized in 1872. County seat, Stockton. In memory of John C. Rooks, private of Company I, Eleventh Kansas Infantry, who died December 11, 1862, at Fayetteville, Ark., of wounds received in the battle of Prairie Grove, December 7, 1862.



Rooks.

**Rush.**—Organized in 1874. County seat, La-Crosse. In memory of Alexander Rush, Captain of Company H, Second



Rush.

Colored Infantry, killed April 3, 1864, at Jenkins Ferry, Ark.

**Russell.**—Organized in 1872. County seat, Russell. In memory of Alva P. Russell, Captain Company K, Second Kansas Cavalry, who died December 12, 1862, in field hospital near Prairie Grove, Ark., of wounds received in battle December 7, 1862, at Prairie Grove.

**Saline.**—Organized in 1859. County seat, Salina. Named for the Saline



Russell.



Saline.

of Major-General Winfield Scott, United States army, hero of the Mexican war.

river, whose waters drain a large area of the county.

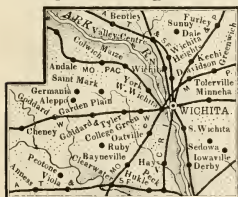
**Scott.**—Organized January 29, 1886. Scott is the County seat. Boundaries defined in 1873. In honor



Scott.

**Sedgwick.**—Organized in 1870. County

seat, Wichita. In memory of John Sedgwick, United States army, Major-General of volunteers, killed in battle, May 9, 1864, at Spottsylvania, Va.



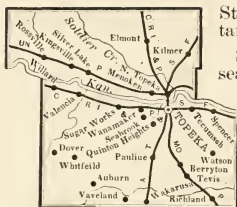
Sedgwick.

January 17, 1886. County seat, Liberal. Boundaries defined in 1873. In honor of Wm. H. Seward, Governor and United

**Seward.**—Organized

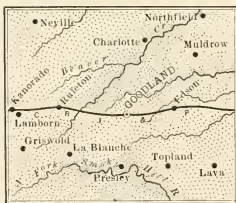


Seward.



Shawnee.

for the name of his county, a preference stoutly contended for by the Reverend Thomas Johnson for the county in which the Legislature was sitting, but the committee yielded to General Strickler, and, without solicitation, complimented Mr. Johnson by conferring his own name upon his county.



Sherman.

honor of General W. T. Sherman, United States army.

**Smith.**—Organized in 1872. County seat, Smith Center. In memory of Nathan Smith, Major of Second Colorado Volunteers, killed October 23, 1864, at battle of the Little Blue, Mo.

**Stafford.**—Organized in 1879. County seat, St. John. In memory

States Senator of New York, and Secretary of State under Abraham Lincoln.

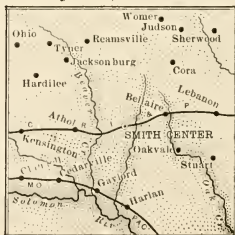
**Shawnee.**—Organized in 1855. County seat, Topeka. Was carved out of what was, before the treaty of 1854, Shawnee Indian lands—hence the name. General H. J. Strickler, of Tecumseh, who was a member of the council in 1855, and also of the Joint Committee on Counties, claimed Shawnee



Sheridan.

**Sheridan.**—Organized in 1880. County seat, Hoxie. Named in honor of Lieutenant-General Philip H. Sheridan, United States army.

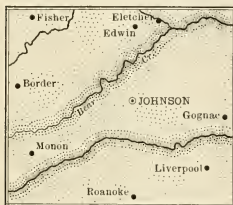
**Sherman.**—Organized September 20, 1886. County seat, Goodland. In



Smith.

of Lewis Stafford, Captain of Company E, First Kansas Infantry, who was accidentally killed at Young's Point, La., January 31, 1863.

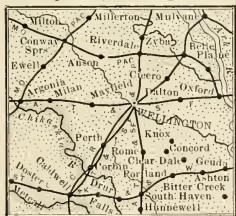
**Stanton.**—Organized June 17, 1887. County seat, Johnson. This county was named after Edwin M. Stanton, Secretary of war under President Lincoln.



Stanton.

named after the late distinguished statesman, Thaddeus Stevens.

**Sumner.**—Organized in 1871. County seat, Wellington. In honor of



Sumner.

was a leader in the opposition to extension of slavery into Kansas, as proposed in the Bill to organize the Territory.

**Thomas.**—Organized October 8, 1885. County seat, Colby. In honor



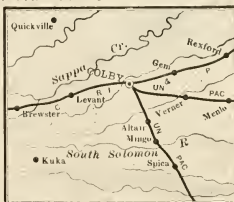
Stafford.

**Stevens.**—Organized August 3, 1886. County seat, Hugoton. Was



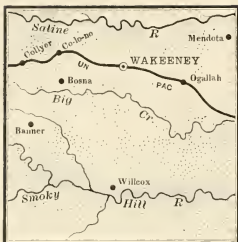
Stevens.

Charles Sumner, the distinguished Massachusetts Senator. In 1854 he



Thomas.





Trego.

was first named, was the leader in the House of Representatives on the Democratic side in the debate on the Kansas-Nebraska Bill. In February, 1859, the name was changed to Wabauunsee, that



Washington.

Boundaries defined in 1873. *Wichita* was the name of a confederacy of Caddoan Indians.

**Wallace.**—Organized in 1888. County seat, Sharon Springs. Named after General Lew. Wallace, author of "Ben Hur."

**Wilson.**—Organized in 1865. County seat, Fredonia. This county originally

of Major-General George H. Thomas, United States army, who died in 1870.

**Trego.**—Organized in 1879. County seat, Wakeeney. In memory of Edgar P. Trego, Captain of Company H, Eighth Kansas Infantry, killed September 19, 1863, at Chickamauga, Tenn.

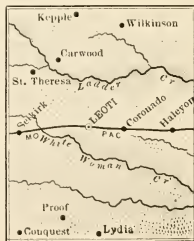
**Wabaunsee.**—Organized as Richardson, in 1859. County seat, Alma. The county was created in 1855. Colonel "Dick" Richardson, of Illinois, for whom the county



Wabaunsee.

**Washington.**—Organized in 1860. County seat, Washington. Named in honor of George Washington, the first President of the United States.

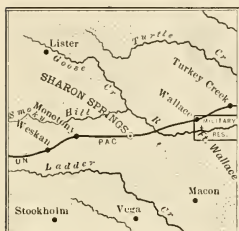
**Wichita.**—Organized December 24, 1886. County seat, Leoti.



Wichita.



extended to the south line of the State, and was named in honor of Colonel Hiero T. Wilson, who lived in Fort Scott from September, 1843. He was the first white person to settle there.



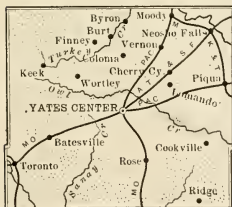
Wallace.



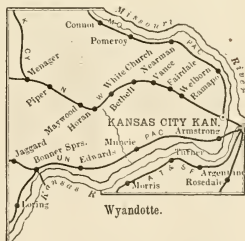
Wilson.

**Woodson.**—Organized in 1855. County seat, Yates Center. Named in honor of Daniel Woodson, who was Secretary of the Territory, and for some time acting Governor, after the resignation of Governor Shannon, in 1856.

**Wyandotte.**—Organized in 1855. County seat, Kansas City (formerly Wyandotte). Named after the Indian tribe of that name.



Woodson.



Wyandotte.

# ORGANIC ACT.

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## ORGANIZATION OF KANSAS TERRITORY.

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ON 30TH MAY, 1854, CONGRESS PASSED AN ACT ENTITLED "AN ACT TO ORGANIZE THE TERRITORIES OF NEBRASKA AND KANSAS."

THE Organic Act took effect on its approval, 30th May, and on 30th June, 1854, President PIERCE appointed officers for Kansas, as follows: ANDREW H. REEDER, of Pennsylvania, as Governor; DANIEL WOODSON, of Virginia, as Secretary; ANDREW J. ISAACS, of Louisiana, as United States District Attorney; MADISON BROWN, of Maryland, as Chief Justice; and SAUNDERS W. JOHNSTON, of Ohio, and RUSH ELMORE, of Alabama, as Associate Justices. Judge Brown refused the appointment, and SAMUEL D. LECOMPTE, of Maryland, was appointed Chief Justice on 3d October, 1854.

THE first eighteen sections of the Kansas-Nebraska Act relate solely to the Territory of Nebraska. The material portions of the sections of said Act relating to KANSAS TERRITORY, are as follows:

§ 1. (SEC. 19.) All that part of the Territory of the United States, included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this Act, to-wit, beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of

north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning, be, and the same is, hereby created into a temporary government, by the name of the Territory of Kansas; and when admitted as a State or States, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission; provided, that nothing in this Act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner, and at such times, as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States; provided, further, that nothing in this Act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any Territory which, by treaty with an Indian tribe is not, without the consent of said tribe, to be included within the Territorial limits or jurisdiction of any State or Territory; but all such Territory shall be excepted out of the boundaries, and constitute no part of the Territory of Kansas, until said tribe shall signify their assent to the President of the United States, to be included within the said Territory of Kansas, or to affect the authority of the Government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the Government to make if this Act had never passed.

§ 2. [SEC. 20 provides for the appointment of a Territorial Governor, and defines his powers and duties.]

§ 3. [SEC. 21 provides for the appointment of a Secretary of said Territory, and defines his powers and duties.]

§ 4. (SEC. 22.) The legislative power and authority of said Territory shall be vested in the Governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of thirteen members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall, at its first session, consist of

twenty-six members, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, in proportion to the increase of qualified voters; provided, that the whole number shall never exceed thirty-nine. \* \* \*

[This section then provides that the Governor shall cause a census to be taken before the first election, and that he shall make an apportionment declaring the number of members of each house to which each county or district shall be entitled, and "the first election shall be held at such time and places," and the first "legislative assembly shall meet at such place and on such day as the Governor shall appoint; but hereafter the time, place and manner of holding and conducting all elections, and the apportioning the representation in the several counties or districts to the council and house of representatives, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly."]

§ 5. [SEC. 23 prescribes the qualifications of persons entitled to vote at the first election, which persons are made eligible to office at such first election.]

§ 6. (SEC. 24.) The legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said Territory shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

§ 7. [SEC. 25 provides for the appointment of township, district and county officers.]

§ 8. [SEC. 26 declares that no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, etc.]

§ 9. (SEC. 27.) The judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace.

The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed.

The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held.

The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law, provided, that justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction.

Writs of error, bills of exception and appeal shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court.

Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme

court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party or other competent witness, shall exceed one thousand dollars. \* \* \*

§ 10. [SEC. 28 extends the provisions of the "fugitive slave acts" of 1793 and 1850 to Kansas Territory.]

§ 11. [SEC. 29 provides for the appointment of a United States District Attorney and a United States Marshal for said Territory.]

§ 12. [SEC. 30 provides that the Governor, Secretary, Chief Justice and Associate Justices, Attorney and Marshal, shall be nominated and, by and with the advice and consent of the senate, appointed by the President of the United States, and for their qualifying; fixes the salaries of the Governor, Judges, Attorney, Marshal, and Secretary; and prescribes the compensation of members of the legislature.]

§ 13. (SEC. 31.) The seat of government of said Territory is hereby located temporarily at Fort Leavenworth, and such portions of the public buildings as may not be actually used and needed for military purposes may be occupied and used under the direction of the Governor and legislative assembly for such public purposes as may be required under the provisions of this act.

§ 14. [SEC. 32 provides that a delegate to the house of representatives of the United States may be elected by the voters qualified to elect members of the legislative assembly; declares the first Territorial election shall be held at such time and places and be conducted in such manner as the Governor shall appoint and direct; but all subsequent elections shall be held at such times, places and manner as shall be prescribed by law. And then follows as part of § 32 the famous declaration of "squatter sovereignty," (then called "the great principle of non-intervention,") as follows:

"The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the compromise measures, is hereby declared inoperative and void—it being the true intent and meaning of this act, not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States; provided, that nothing therein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of 6th of March, 1820, either protecting, establishing, prohibiting or abolishing slavery."

§ 15. [SEC. 33 declares that money shall be appropriated, as has been customary, for the erection of suitable buildings at the seat of government, and for the purchase of a library, to be kept at the seat of government for the use of the Governor, legislative assembly, judges of the supreme court, etc.]

§ 16. [SEC. 34 reserves sections sixteen and thirty-six in each township for the purpose of being applied to schools in said Territory, etc.]

§ 17. [SEC. 35 relates to judicial districts, the assignment of judges, fixing terms of and places of holding courts, etc.]

§ 18. [SEC. 36 requires all officers appointed by the President, by and with the advice and consent of the senate for the Territory of Kansas, to give security for moneys that may be entrusted with them for disbursement.]

§ 19. (SEC. 37.) All treaties, laws and other engagements made by the Government of the United States with the Indian tribes inhabiting the Territories embraced within this act shall be faithfully and rigidly observed, notwithstanding anything contained in this act; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of superintendent.

Approved May 30, 1854.

# AN ACT

FOR THE

## ADMISSION OF KANSAS INTO THE UNION.

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WHEREAS, The people of the Territory of Kansas, by their representatives in convention assembled, at Wyandotte, in said Territory, on the twenty-ninth day of July, one thousand eight hundred and fifty-nine, did form for themselves a Constitution and State Government, Republican in form, which was ratified and adopted by the people at an election held for that purpose on Tuesday, the fourth day of October, one thousand eight hundred and fifty-nine, and the said convention has, in their name and behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the other States; therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Kansas shall be, and is hereby declared to be, one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever. And the said State shall consist of all the territory included within the following boundaries, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of latitude; thence east on said parallel to the western boundary of*



the State of Missouri; thence south with the western boundary of said State to the place of beginning; provided that nothing contained in the said Constitution respecting the boundary of said State shall be construed to impair the rights of person or property now pertaining to the Indians in said territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with such Indian tribe, is not, without the consent of such tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the State of Kansas, until said tribe shall signify their assent to the President of the United States, to be included within said State, or to affect the authority of the Government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law or otherwise, which it would have been competent to make if this Act had never passed.

SEC. 2. *And be it further enacted*, That until the next general apportionment of representatives, the State of Kansas shall be entitled to one representative in the House of Representatives of the United States.

SEC. 3. *And be it further enacted*, That nothing in this Act shall be construed as an assent by Congress to all or any of the propositions or claims contained in the ordinance of said Constitution of the people of Kansas, or in the resolutions thereto attached; but the following propositions are hereby offered to the said people of Kansas, for their free acceptance or rejection, which, if accepted, shall be obligatory on the United States, and upon the said State of Kansas, to wit:

*First*—That sections numbered sixteen and thirty-six, in every township of public lands in said State, and where either of said sections or any part thereof has been sold or otherwise been disposed of, other lands, equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools.

*Second*—That seventy-two sections of land shall be set apart and reserved for the use and support of a State University, to be selected by the Governor of said State, subject to the approval of the Commissioner of the General Land Office, and to be appropriated and applied in such manner as the Legislature of said State may prescribe for the purpose aforesaid, but for no other purpose.

*Third*—That ten entire sections of land to be selected by the Governor of said State, in legal subdivisions, shall be granted to the said State for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the legislature thereof.

*Fourth*—That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each, shall be granted to said State for its use, the same to be selected by the Governor thereof within one year after the admission of said State, and when so selected to be used or disposed of on such terms, conditions and regulations as the legislature shall direct; provided that no salt spring or land, the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall, by this article, be granted to said State.

*Fifth*—That five per centum of the net proceeds of sales of all public lands lying within said State, which shall be sold by congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State for the purpose of making public roads and internal improvements, or for other purposes, as the legislature shall direct; provided, that the foregoing propositions hereinbefore offered are on the condition that the people of Kansas shall provide by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations congress may find necessary for securing the title in said soil to *bona fide* purchasers thereof.

*Sixth*—And that the said State shall never tax the lands or the property of the United States in said State. In case any of the lands herein granted to the State of Kansas have heretofore been confirmed to the Territory of Kansas for the purposes specified in this act, the amount so confirmed shall be deducted from the quantity specified in this act.

SEC. 4. *And be it further enacted,* That from and after the admission of the State of Kansas, as hereinbefore provided, all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within that State as in other States of the Union; and the said State is hereby constituted a judicial district of the United States, within which a district court, with the like powers and jurisdiction as the district court of the United States for the district of Minnesota, shall be established; the Judge, Attorney and Marshal of the United States, for the said district of Kansas, shall reside within the same, and shall be entitled to the same compensation as the Judge, Attorney and Marshal of the district of Minnesota; and in all cases of appeal or writ of error heretofore prosecuted, and now pending in the supreme court of the United States upon any record from the supreme court of Kansas Territory, the mandate of execution or order of further proceeding shall be directed by the supreme court of the United

States to the district court of the United States for the district of Kansas, or to the supreme court of the State of Kansas, as the nature of such appeal or writ of error may require; and each of those courts shall be the successor of the supreme court of Kansas Territory as to all such cases, with full power to hear and determine the same, and to award mesne or final process therein.

SEC. 5. *And be it further enacted*, That the Judge of the district court for the district of Kansas shall hold two regular terms of said court annually at the seat of government of the said State, to commence on the second Mondays of April and October in each year.

Approved 29th January, 1861.

#### ASSENT OF STATE TO PROPOSITIONS OF CONGRESS.

##### CHAPTER 6, LAWS OF 1862.

#### JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF KANSAS. ACCEPTING THE TERMS IMPOSED BY CONGRESS UPON THE ADMIS- SION OF THE STATE OF KANSAS INTO THE UNION.

*Be it resolved by the legislature of the State of Kansas*, That the propositions contained in the act of congress, entitled "An Act for the admission of Kansas into the Union," are hereby accepted, ratified, and confirmed, and shall remain irrevocable, without the consent of the United States. And it is hereby ordained, that this State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations congress may find necessary for securing the title to said soil, to *bona fide* purchasers thereof; and no tax shall be imposed on lands belonging to the United States.

Approved January 20, 1862.

# CONSTITUTION OF THE STATE OF KANSAS.

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ADOPTED AT WYANDOTTE, JULY 29, 1859. RATIFIED BY THE PEOPLE,  
OCTOBER 4, 1859. WENT INTO OPERATION, JANUARY 29, 1861.

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WITH ALL AMENDMENTS ADOPTED PRIOR TO JANUARY 1, 1899.

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## PREAMBLE.—BOUNDARIES.

WE, the PEOPLE OF KANSAS, grateful to Almighty God for our civil and religious privileges, in order to insure the full enjoyment of our rights as American citizens, do ordain and establish this CONSTITUTION OF THE STATE OF KANSAS, with the following boundaries, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence running west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of north latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south, with the western boundary of said State, to the place of beginning.

## BILL OF RIGHTS.

SECTION 1. All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.

SEC. 2. All political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit. No special privileges

or immunities shall ever be granted by the legislature, which may not be altered, revoked, or repealed by the same body; and this power shall be exercised by no other tribunal or agency.

SEC. 3. The people have the right to assemble in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the Government, or any department thereof, for the redress of grievances.

SEC. 4. The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.

SEC. 5. The right of trial by jury shall be inviolate.

SEC. 6. There shall be no slavery in this State; and no involuntary servitude, except for the punishment of crime, whereof the party shall have been duly convicted.

SEC. 7. The right to worship God, according to the dictates of conscience, shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of, or interference with the rights of conscience be permitted, nor any preference be given by law to any religious establishment or mode of worship. No religious test or property qualification shall be required for any office of public trust, nor for any vote at any election; nor shall any person be incompetent to testify on account of religious belief.

SEC. 8. The right to the writ of *habeas corpus* shall not be suspended, unless the public safety requires it in case of invasion or rebellion.

SEC. 9. All persons shall be bailable, by sufficient sureties, except for capital offenses, where proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.

SEC. 10. In all prosecutions, the accused shall be allowed to appear and defend in person, or by counsel; to demand the nature and cause of the accusation against him, to meet the witness face to face, and to have compulsory process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed. No person shall be a witness against himself, or be twice put in jeopardy for the same offense.

SEC. 11. The liberty of the press shall be inviolate; and all persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right; and in all civil or criminal actions for libel, the truth may be given in evidence to the jury, and if it shall appear that the alleged libelous

matter was published for justifiable ends, the accused party shall be acquitted.

SEC. 12. No person shall be transported from the State for any offense committed within the same; and no conviction in the State shall work a corruption of blood or forfeiture of estate.

SEC. 13. Treason shall consist only in levying war against the State, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the overt act, or confession in open court.

SEC. 14. No soldier shall, in time of peace, be quartered in any house without the consent of the occupant; nor in time of war, except as prescribed by law.

SEC. 15. The right of the people to be secure in their persons and property against unreasonable searches and seizures, shall be inviolate; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons or property to be seized.

SEC. 16. No person shall be imprisoned for debt except in cases of fraud.

SEC. 17. No distinction shall ever be made between citizens of the State of Kansas and the citizens of other States and Territories of the United States in reference to the purchase, enjoyment or descent of property. The rights of aliens in reference to the purchase, enjoyment or descent of property may be regulated by law.

SEC. 18. All persons, for injuries suffered in person, reputation or property, shall have remedy by due course of law, and justice administered without delay.

SEC. 19. No hereditary emoluments, honors or privileges, shall ever be granted or conferred by the State.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated remain with the people.

## ARTICLE 1.

### EXECUTIVE DEPARTMENT.

SECTION 1. The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction; who shall be chosen by the electors of the State at the time and place

of voting for members of the legislature, and shall hold their offices for the term of two years from the second Monday of January next after their election, and until their successors are elected and qualified.

SEC. 2. Until otherwise provided by law, an abstract of the returns of every election for the officers named in the foregoing section shall be sealed up and transmitted by the clerks of the boards of canvassers of the several counties to the Secretary of State, who, with the Lieutenant-Governor and Attorney-General shall constitute a board of State canvassers, whose duty it shall be to meet at the State capital on the second Tuesday of December succeeding each election for State officers, and canvass the vote for such officers and proclaim the result; but in case any two or more have an equal and the highest number of votes, the legislature shall, by joint ballot, choose one of said persons so having an equal and the highest number of votes for said office.

#### OF THE GOVERNOR.

SEC. 3. The supreme executive power of the State shall be vested in a Governor, who shall see that the laws are faithfully executed.

SEC. 4. He may require information in writing from the officers of the executive department upon any subject relating to their respective duties.

SEC. 5. He may, on extraordinary occasions, convene the legislature by proclamation, and shall at the commencement of every session communicate in writing such information as he may possess in reference to the condition of the State, and recommend such measures as he may deem expedient.

SEC. 6. In case of disagreement between the two houses in respect to the time of adjournment, he may adjourn the legislature to such time as he may think proper, not beyond its regular meeting.

SEC. 7. The pardoning power shall be vested in the Governor under regulations and restrictions prescribed by law.

SEC. 8. There shall be a seal of the State, which shall be kept by the Governor, and used by him officially, and which shall be the great seal of Kansas.

SEC. 9. All commissions shall be issued in the name of the State of Kansas, signed by the Governor, countersigned by the Secretary of State, and sealed with the great seal.

SEC. 10. No member of congress, or officer of the State, or of the United States, shall hold the office of Governor, except as herein provided.

#### OF THE LIEUTENANT-GOVERNOR.

SEC. 11. In case of the death, impeachment, resignation, removal or other disability of the Governor, the power and duties of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the president of the senate.

SEC. 12. The Lieutenant-Governor shall be president of the senate, and shall vote only when the senate is equally divided. The senate shall choose a president *pro tempore*, to preside in case of his absence or impeachment, or when he shall hold the office of Governor.

SEC. 13. If the Lieutenant-Governor, while holding the office of Governor, shall be impeached or displaced, or shall resign, or die, or otherwise become incapable of performing the duties of the office, the president of the senate shall act as Governor until the vacancy is filled or the disability removed; and if the president of the senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of Governor, the same shall devolve upon the speaker of the house of representatives.

#### OTHER STATE OFFICERS.

SEC. 14. Should either the Secretary of State, Auditor, Treasurer, Attorney-General or Superintendent of Public Instruction, become incapable of performing the duties of his office, for any of the causes specified in the thirteenth section of this article, the Governor shall fill the vacancy until the disability is removed, or a successor is elected and qualified. Every such vacancy shall be filled by election at the first general election that occurs more than thirty days after it shall have happened; and the person chosen shall hold the office for the unexpired term.

#### SALARIES AND OFFICIAL REPORTS.

SEC. 15. The officers mentioned in this article shall, at stated times, receive for their services a compensation, to be established by law, which shall neither be increased nor diminished during the period for which they shall have been elected.



SEC. 16. The officers of the executive department, and of all public State institutions, shall, at least ten days preceding each regular session of the legislature, severally report to the Governor, who shall transmit such reports to the legislature.

## ARTICLE 2.

### LEGISLATIVE.

SECTION 1. The legislative power of this State shall be vested in a house of representatives and senate.

SEC. 2. The number of representatives and senators shall be regulated by law, but shall never exceed one hundred and twenty-five representatives and forty senators. From and after the adoption of this amendment [November, 1873], the house of representatives shall admit one member for each county in which at least two hundred and fifty legal votes were cast at the next preceding general election; and each organized county in which less than two hundred legal votes were cast at the next preceding general election shall be attached to and constitute a part of the representative district of the county lying next adjacent to it on the east.

SEC. 3. The members of the legislature shall receive as compensation for their services the sum of three dollars for each day's actual service at any regular or special session, and fifteen cents for each mile traveled by the usual route in going to and returning from the place of meeting; but such compensation shall not in the aggregate exceed the sum of two hundred and forty dollars for each member, as per diem allowance for the first session held under this Constitution, nor more than one hundred and fifty dollars for each session thereafter, nor more than ninety dollars for any special session.

SEC. 4. No person shall be a member of the legislature who is not at the time of his election a qualified voter of, and a resident in, the county or district for which he is elected.

SEC. 5. No member of congress or officer of the United States shall be eligible to a seat in the legislature. If any person after his election to the legislature, be elected to congress or elected or appointed to any office under the United States, his acceptance thereof shall vacate his seat.

SEC. 6. No person convicted of embezzlement or misuse of the public funds shall have a seat in the legislature.

SEC. 7. All State officers, before entering upon their respective duties, shall take and subscribe an oath or affirmation to support the Constitution of the United States and the Constitution of this State, and faithfully to discharge the duties of their respective offices.

SEC. 8. A majority of each house shall constitute a quorum. Each house shall establish its own rules, and shall be judge of the elections, returns and qualifications of its own members.

SEC. 9. All vacancies occurring in either house shall be filled for the unexpired term by election.

SEC. 10. Each house shall keep and publish a journal of its proceedings. The yeas and nays shall be taken and entered immediately on the journal, upon the final passage of every bill or joint resolution. Neither house, without the consent of the other, shall adjourn for more than two days, Sundays excepted.

SEC. 11. Any member of either house shall have the right to protest against any act or resolution; and such protest shall without delay or alteration be entered on the journal.

SEC. 12. Bills may originate in either house, but may be amended or rejected by the other.

SEC. 13. A majority of all the members elected to each house, voting in the affirmative, shall be necessary to pass any bill or joint resolution.

SEC. 14. Every bill and joint resolution passed by the house of representatives and senate, shall within two days thereafter be signed by the presiding officers, and presented to the Governor; if he approve, he shall sign it; but if not, he shall return it to the house of representatives, which shall enter the objections at large upon its journal and proceed to reconsider the same. If after such reconsideration two-thirds of the members elected shall agree to pass the bill or resolution, it shall be sent with the objections to the senate, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members elected, it shall become a law. But in all such cases the vote shall be taken by yeas and nays, and entered upon the journals of each house. If any bill shall not be returned within three days (Sunday excepted) after it shall have been presented to the Governor, it shall become a law in like manner as if he had signed it, unless the legislature by its adjournment prevent its return, in which case it shall not become a law.

SEC. 15. Every bill shall be read on three separate days in each house, unless in case of emergency. Two-thirds of the house where such bill is pending may, if deemed expedient, suspend the rules; but the reading of the bill by sections on its final passage, shall in no case be dispensed with.

SEC. 16. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived or amended unless the new act contain the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed.

SEC. 17. All laws of a general nature shall have a uniform operation throughout the State; and in all cases where a general law can be made applicable, no special law shall be enacted.

SEC. 18. All power to grant divorces is vested in the district courts, subject to regulation by law.

SEC. 19. The legislature shall prescribe the time when its acts shall be in force, and shall provide for the speedy publication of the same; and no law of a general nature shall be in force until the same be published. It shall have the power to provide for the election or appointment of all officers, and the filling of all vacancies not otherwise provided for in the Constitution.

SEC. 20. The enacting clause of all laws shall be, "Be it enacted by the legislature of the State of Kansas;" and no law shall be enacted except by bill.

SEC. 21. The legislature may confer upon tribunals transacting the county business of the several counties, such powers of local legislation and administration as it shall deem expedient.

SEC. 22. For any speech or debate in either house the members shall not be questioned elsewhere. No member of the legislature shall be subject to arrest—except for felony or breach of the peace—in going to, or returning from, the place of meeting, or during the continuance of the session; neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

SEC. 23. The legislature, in providing for the formation and regulation of schools, shall make no distinction between the rights of males and females.

SEC. 24. No money shall be drawn from the treasury, except in pursuance of a specific appropriation made by law, and no appropriation shall be for a longer term than two years.

SEC. 25. All sessions of the legislature shall be held at the State capital, and beginning with the session of eighteen hundred and seventy-seven, all regular sessions shall be held once in two years, commencing on the second Tuesday of January of each alternate year thereafter.

SEC. 26. The legislature shall provide for taking an enumeration of the inhabitants of the State at least once in ten years. The first enumeration shall be taken in A. D. 1865.

SEC. 27. The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators elected.

SEC. 28. The Governor and all other officers under this constitution shall be subject to impeachment for any misdemeanor in office; but judgment in all such cases shall not be extended further than to removal from office and disqualification to hold any office of profit, honor or trust under this Constitution; but the party, whether acquitted or convicted, shall be liable to indictment, trial, judgment and punishment according to law.

SEC. 29. At the general election held in eighteen hundred and seventy-six, and thereafter, members of the house of representatives shall be elected for two years, and members of the senate shall be elected for four years.

## ARTICLE 3.

### JUDICIAL.

SECTION 1. The judicial power of this State shall be vested in a supreme court, district courts, probate courts, justices of the peace, and such other courts inferior to the supreme court as may be provided by law; and all courts of record shall have a seal, to be used in the authentication of all process.

SEC. 2. The supreme court shall consist of one chief justice and two associate justices (a majority of whom shall constitute a quorum), who shall be elected by the electors of the State at large, and whose term of office, after the first, shall be six years. At the first election a chief justice shall be chosen for six years, one associate justice for four years, and one for two years.

SEC. 3. The supreme court shall have original jurisdiction in proceedings in *quo warranto*, *mandamus* and *habeas corpus*; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government, and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the State.

SEC. 4. There shall be appointed, by the justices of the supreme court, a reporter and clerk of said court, who shall hold their offices two years, and whose duties shall be prescribed by law.

SEC. 5. The State shall be divided into five judicial districts, in each of which there shall be elected, by the electors thereof, a district judge, who shall hold his office for the term of four years. District courts shall be held at such times and places as may be provided by law.

SEC. 6. The district courts shall have such jurisdiction in their respective districts as may be provided by law.

SEC. 7. There shall be elected in each organized county a clerk of the district court, who shall hold his office two years, and whose duties shall be prescribed by law.

SEC. 8. There shall be a probate court in each county, which shall be a court of record, and have such probate jurisdiction and care of estates of deceased persons, minors and persons of unsound minds, as may be prescribed by law, and shall have jurisdiction in cases of *habeas corpus*. This court shall consist of one judge, who shall be elected by the qualified voters of the county, and hold his office two years. He shall be his own clerk, and shall hold court at such times, and receive for compensation such fees as may be prescribed by law.

SEC. 9. Two justices of the peace shall be elected in each township, whose term of office shall be two years, and whose powers and duties shall be prescribed by law. The number of justices of the peace may be increased in any township by law.

SEC. 10. All appeals from probate courts and justices of the peace shall be to the district court.

SEC. 11. All the judicial officers provided for by this article shall be elected at the first election under this Constitution, and shall reside in their respective townships, counties or districts during their respective terms of office. In case of vacancy in any judicial office, it shall be filled by appointment of the Governor until the next regular election that shall occur more than thirty days after such vacancy shall have happened.

SEC. 12. All judicial officers shall hold their offices until their successors shall have qualified.

SEC. 13. The justices of the supreme court and judges of the district courts shall, at stated times, receive for their services such compensation as may be provided by law, which shall not be increased during their respective terms of office; provided, such compensation shall not be less than fifteen hundred dollars to each justice or judge each year, and such justices or judges shall receive no fees or perquisites, nor hold any other office of profit or trust under the authority of the State or the United States during the term of office for which said justices and judges shall be elected, nor practice law in any of the courts in the State during their continuance in office.

SEC. 14. Provision may be made by law for the increase of the number of judicial districts whenever two-thirds of the members of each house shall concur. Such districts shall be formed of compact Territory, and bounded by county lines, and such increase shall not vacate the office of any judge.

SEC. 15. Justices of the supreme court and judges of the district courts may be removed from office by resolution of both houses, if two-thirds of the members of each house concur; but no such removal shall be made except upon complaint, the substance of which shall be entered upon the journal, nor until the party charged shall have had notice and opportunity to be heard.

SEC. 16. The several justices and judges of the courts of record in this State, shall have such jurisdiction at chambers as may be provided by law.

SEC. 17. The style of all process shall be "The State of Kansas," and all prosecutions shall be carried on in the name of the State.

SEC. 18. Until otherwise provided by law, the first district shall consist of the counties of Wyandotte, Leavenworth, Jefferson and Jackson. The second district shall consist of the counties of Atchison, Doniphan, Brown, Nemaha, Marshall and Washington. The third district shall consist of the counties of Pottawatomie, Riley, Clay, Dickinson, *Davis*, Wabaunsee and Shawnee. The fourth district shall consist of the counties of Douglas, Johnson, *Lykins*, Franklin, Anderson, Linn, Bourbon and Allen. The fifth district shall consist of the counties of Osage, Coffey, Woodson, Greenwood, *Madison*, *Breckinridge*, Morris, Chase, Butler and *Hunter*.

SEC. 19. New or unorganized counties shall by law be attached for judicial purposes to the most convenient judicial districts.

SEC. 20. Provision shall be made by law for the selection, by the bar, of a *pro tem*. judge of the district court, when the judge is absent or otherwise unable or disqualified to sit in any case.

## ARTICLE 4.

### ELECTIONS.

SECTION 1. All elections by the people shall be by ballot, and all elections by the legislature shall be *viva voce*.

SEC. 2. General elections shall be held annually on the Tuesday succeeding the first Monday in November. Township elections shall be held on the first Tuesday in April, until otherwise provided by law.

## ARTICLE 5.

## SUFFRAGE.

SECTION 1. Every [white] male person of twenty-one years and upwards, belonging to either of the following classes—who shall have resided in Kansas six months next preceeding any election, and in the township or ward in which he offers to vote at least thirty days next preceeding such election—shall be deemed a qualified elector:

1st. Citizens of the United States.

2d. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization.

SEC. 2. No person under guardianship, *non compos mentis*, or insane; no person convicted of felony, unless restored to civil rights; no person who has been dishonorably discharged from the service of the United States, unless reinstated; no person guilty of defrauding the Government of the United States, or any of the States thereof; no person guilty of giving or receiving a bribe, or offering to give or receive a bribe; and no person who has ever voluntarily borne arms against the Government of the United States, or in any manner voluntarily aided or abetted in the attempted overthrow of said Government, except all persons who have been honorably discharged from the military service of the United States since the first day of April A. D., 1861, provided that they have served one year or more therein, shall be qualified to vote or hold office in this State, until such disability shall be removed by a law passed by a vote of two-thirds of all the members of both branches of the legislature.

SEC. 3. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas, nor while a student of any seminary of learning, nor while kept at any almshouse or other asylum at public expense, nor while confined in any public prison; and the legislature may make provision for taking the votes of electors who may be absent from their townships or wards, in the volunteer military service of the United States, or the militia service of this State; but nothing herein contained shall be deemed to allow any soldier, seaman or marine in the regular army or navy of the United States the right to vote.

SEC. 4. The legislature shall pass such laws as may be necessary for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established.

SEC. 5. Every person who shall give or accept a challenge to fight a duel, or who shall knowingly carry to another person such challenge, or who shall go out of the State to fight a duel, shall be ineligible to any office of trust or profit.

SEC. 6. Every person who shall have given or offered a bribe to procure his election, shall be disqualified from holding office during the term for which he may have been elected.

SEC. 7. Electors, during their attendance at elections, and in going to and returning therefrom, shall be privileged from arrest in all cases except treason, felony or breach of the peace.

## ARTICLE 6.

### EDUCATION.

SECTION 1. The State Superintendent of Public Instruction shall have the general supervision of the common school funds and educational interests of the State, and perform such other duties as may be prescribed by law. A superintendent of public instruction shall be elected in each county, whose term of office shall be two years, and whose duties and compensation shall be prescribed by law.

SEC. 2. The legislature shall encourage the promotion of intellectual, moral, scientific and agricultural improvement, by establishing a uniform system of common schools, and schools of a higher grade, embracing normal, preparatory, collegiate and university departments.

SEC. 3. The proceeds of all lands that have been or may be granted by the United States to the State for the support of schools, and the five hundred thousand acres of land granted to the new States under an act of congress distributing the proceeds of public lands among the several States of the Union, approved September 4th, A. D., 1841, and all estates of persons dying without heir or will, and such per cent as may be granted by congress on the sale of lands in this State, shall be the common property of the State, and shall be a perpetual school fund, which shall not be diminished, but the interest of which, together with all the rents of the lands, and such other means as the legislature may provide, by tax or otherwise, shall be inviolably appropriated to the support of common schools.

SEC. 4. The income of the State school funds shall be disbursed annually, by order of the State Superintendent, to the several county treasurers, and thence to the treasurers of the several



school districts, in equitable proportion to the number of children and youth resident therein, between the ages of five and twenty-one years; provided, that no school district, in which a common school has not been maintained at least three months in each year, shall be entitled to receive any portion of such funds.

SEC. 5. The school lands shall not be sold, unless such sale shall be authorized by a vote of the people at a general election; but, subject to re-valuation every five years, they may be leased for any number of years, not exceeding twenty-five, at a rate established by law.

SEC. 6. All money which shall be paid by persons as an equivalent for exemption from military duty; the clear proceeds of estrays, ownership of which shall vest in the taker-up; and the proceeds of fines for any breach of the penal laws, shall be exclusively applied in the several counties in which the money is paid or fines collected, to the support of common schools.

SEC. 7. Provision shall be made by law for the establishment, at some eligible and central point, of a State university for the promotion of literature, and the arts and sciences, including a normal and an agricultural department. All funds arising from the sale or rents of lands granted by the United States to the State for the support of a State university, and all other grants, donations or bequests, either by the State or by individuals, for such purpose, shall remain a perpetual fund, to be called the "university fund," the interest of which shall be appropriated to the support of the State university.

SEC. 8. No religious sect or sects shall ever control any part of the common school or university funds of the State.

SEC. 9. The State Superintendent of Public Instruction, Secretary of State and Attorney-General, shall constitute a board of commissioners, for the management and investment of the school funds. Any two of said commissioners shall be a quorum.

## ARTICLE 7.

### PUBLIC INSTITUTIONS.

SECTION 1. Institutions for the benefit of the insane, blind, and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law. Trustees of such benevolent institutions as may be hereafter created, shall be appointed by the Governor, by and with the advice

and consent of the senate; and upon all nominations made by the Governor the question shall be taken in yeas and nays, and entered upon the journal.

SEC. 2. A penitentiary shall be established, the directors of which shall be appointed or elected, as prescribed by law.

SEC. 3. The Governor shall fill any vacancy that may occur in the offices aforesaid until the next session of the legislature, and until a successor to his appointee shall be confirmed and qualified.

SEC. 4. The respective counties of the State shall provide, as may be prescribed by law, for those inhabitants who, by reason of age, infirmity, or other misfortune, may have claims upon the sympathy and aid of society.

## ARTICLE 8.

### MILITIA.

SECTION 1. The militia shall be composed of all able-bodied male citizens between the ages of twenty-one and forty-five years, except such as are exempted by the laws of the United States or of this State; but all citizens of any religious denomination whatever who, from scruples of conscience may be averse to bearing arms, shall be exempted therefrom upon such conditions as may be prescribed by law.

SEC. 2. The legislature shall provide for organizing, equipping and disciplining the militia in such manner as it shall deem expedient not incompatible with the laws of the United States.

SEC. 3. Officers of the militia shall be elected or appointed, and commissioned in such manner as may be provided by law.

SEC. 4. The Governor shall be commander-in-chief, and shall have power to call out the militia to execute the laws, to suppress insurrection, and to repel invasion.

## ARTICLE 9.

### COUNTY AND TOWNSHIP ORGANIZATION.

SECTION 1. The legislature shall provide for organizing new counties, locating county seats, and changing county lines; but no county seat shall be changed without the consent of a majority of the electors of the county; nor any county organized, nor the lines of any county changed so as to include an area of less than four hundred and thirty-two square miles.

SEC. 2. The legislature shall provide for such county and township officers as may be necessary.

SEC. 3. All county officers shall hold their offices for the term of two years, and until their successors shall be qualified, except county commissioners, who shall hold their offices for the term of three years; provided, that at the general election in the year eighteen hundred and seventy-seven, the commissioner elected from district number one in each county shall hold his office for the term of one year; the commissioner elected from district number two in each county shall hold his office for the term of two years, and the commissioner elected from district number three in each county shall hold his office for the term of three years; but no person shall hold the office of sheriff or county treasurer for more than two consecutive terms.

SEC. 4. Township officers, except justices of the peace, shall hold their offices one year from the Monday next succeeding their election, and until their successors are qualified.

SEC. 5. All county and township officers may be removed from office, in such manner and for such cause as shall be prescribed by law.

## ARTICLE 10.

### APPORTIONMENT.

SECTION 1. In the future apportionments of the State, each organized county shall have at least one representative; and each county shall be divided into as many districts as it has representatives.

SEC. 2. It shall be the duty of the first legislature to make an apportionment, based upon the census ordered by the last legislative assembly of the Territory; and a new apportionment shall be made in the year 1866, and every five years thereafter, based upon the census of the preceding year.

SEC. 3. Until there shall be a new apportionment, the State shall be divided into election districts; and the representatives and senators shall be apportioned among the several districts as follows, viz:

1st district, Doniphan, 4 representatives, 2 senators;

2d district, Atchison and Brown, 6 representatives, 2 senators;

3d district, Nemaha, Marshall and Washington, 2 representatives, 1 senator;

4th district, Clay, Riley and Pottawatomie, 4 representatives, 1 senator;

5th district, Dickinson, Davis and Wabaunsee, 3 representatives, 1 senator;

6th district, Shawnee, Jackson and Jefferson, 8 representatives, 2 senators;

7th district, Leavenworth, 9 representatives, 3 senators;

8th district, Douglas, Johnson and Wyandotte, 13 representatives, 4 senators;

9th district, Lykins, Linn and Bourbon, 9 representatives, 3 senators;

10th district, Allen, Anderson and Franklin, 6 representatives, 2 senators;

11th district, Woodson and Madison, 2 representatives, 1 senator;

12th district, Coffey, Osage and Breckinridge, 6 representatives, 2 senators;

13th district, Morris, Chase and Butler, 2 representatives, 1 senator;

14th district, Arapahoe, Godfrey, Greenwood, Hunter, Wilson, Dorn and McGee, 1 representative.

[Names of counties have been changed as follows: *Davis* to Geary; *Lykins* to Miami; *Madison* was abolished in 1861; *Breckinridge* changed to Lyon; *Arapahoe* was cut off and extinguished as a Kansas county on the admission of the State; *Godfrey* changed to Seward, then to Howard, and Howard was abolished and its territory erected into Chautauqua and Elk; *Hunter* was changed to Cowley; *Dorn* to Neosho, and *McGee* to Cherokee.]

## ARTICLE 11.

### FINANCE AND TAXATION.

SECTION 1. The legislature shall provide for a uniform and equal rate of assessment and taxation; but all property used exclusively for State, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, and personal property to the amount of at least two hundred dollars for each family, shall be exempted from taxation.

SEC. 2. The legislature shall provide for taxing the notes and bills discounted or purchased, moneys loaned, and other property, effects, or dues of every description (without deduction), of all banks now existing, or hereafter to be created, and of all bankers; so that all property employed in banking shall always bear a burden of taxation equal to that imposed upon the property of individuals.

SEC. 3. The legislature shall provide, at each regular session, for raising sufficient revenue to defray the current expenses of the State for two years.

SEC. 4. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same, to which object only such tax shall be applied.

SEC. 5. For the purpose of defraying extraordinary expenses and making public improvements, the State may contract public debts; but such debts shall never, in the aggregate, exceed one million dollars, except as hereinafter provided. Every such debt shall be authorized by law for some purpose specified therein, and the vote of a majority of all the members elected to each house, to be taken by the yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt, and the principal thereof, when it shall become due; and shall specifically appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed nor the taxes postponed or diminished, until the interest and principal of such debt shall have been wholly paid.

SEC. 6. No debt shall be contracted by the State except as herein provided, unless the proposed law for creating such debt shall first be submitted to a direct vote of the electors of the State at some general election; and if such proposed law shall be ratified by a majority of all the votes cast at such general election, then it shall be the duty of the legislature, next after such election, to enact such law and create such debt, subject to all the provisions and restrictions provided in the preceding sections of this article.

SEC. 7. The State may borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

SEC. 8. The State shall never be a party in carrying on any works of internal improvement.

## ARTICLE 12.

### CORPORATIONS.

SECTION 1. The legislature shall pass no special act conferring corporate powers. Corporations may be created under general laws; but all such laws may be amended or repealed.

SEC. 2. Dues from corporations shall be secured by individual liability of the stockholders to an additional amount equal to the stock owned by each stockholder, and such other means as shall be provided by law; but such individual liabilities shall not apply to railroad corporations, nor corporations for religious or charitable purposes.

SEC. 3. The title to all property of religious corporations shall vest in trustees, whose election shall be by the members of such corporations.

SEC. 4. No right-of-way shall be appropriated to the use of any corporation, until full compensation therefor be first made in money, or secured by a deposit in money, to the owner, irrespective of any benefit from any improvement proposed by such corporation.

SEC. 5. Provision shall be made by general law for the organization of cities, towns, and villages; and their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, shall be so restricted as to prevent the abuse of such power.

SEC. 6. The term corporations, as used in this article, shall include all the associations and joint stock companies having powers and privileges not possessed by individuals or partnerships; and all corporations may sue and be sued in their corporate name.

## ARTICLE 13.

### BANKS AND CURRENCY.

SECTION 1. No bank shall be established otherwise than under a general banking law.

SEC. 2. All banking laws shall require as collateral security for the redemption of the circulating notes of any bank organized under their provision, a deposit with the Auditor of State of the interest-paying bonds of the several States, or of the United States, at the cash rates of the New York Stock Exchange, to an amount equal to the amount of circulating notes which such bank shall be authorized to issue, and a cash deposit in its vaults of ten per cent of such amount of circulating notes; and the Auditor shall register and countersign no more circulating bills of any bank than the cash value of such bonds when deposited.

SEC. 3. Whenever the bonds pledged as collateral security for the circulation of any bank shall depreciate in value, the Auditor of State shall require additional security, or curtail the circulation

of such bank, to such extent as will continue the security unimpaired.

SEC. 4. All circulating notes shall be redeemable in the money of the United States. Holders of such notes shall be entitled, in case of the insolvency of such banks, to preference of payment over all other creditors.

SEC. 5. The State shall not be a stockholder in any banking institution.

SEC. 6. All banks shall be required to keep offices and officers for the issue and redemption of their circulation, at a convenient place within the State, to be named on the circulating notes issued by such bank.

SEC. 7. No banking institution shall issue circulating notes of a less denomination than *one dollar*.

SEC. 8. No banking law shall be in force until the same shall have been submitted to a vote of the electors of the State at some general election, and approved by a majority of all the votes cast at such election.

SEC. 9. Any banking law may be amended or repealed.

## ARTICLE 14.

### AMENDMENTS.

SECTION 1. Propositions for the amendment of this Constitution may be made by either branch of the legislature; and if two-thirds of all the members elected to each house shall concur therein, such proposed amendments, together with the yeas and nays, shall be entered on the journal; and the Secretary of State shall cause the same to be published in at least one newspaper in each county of the State where a newspaper is published, for three months preceding the next election for representatives, at which time the same shall be submitted to the electors for their approval or rejection; and if a majority of the electors voting on said amendments, at said election, shall adopt the amendments, the same shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately; and not more than three propositions to amend shall be submitted at the same election.

SEC. 2. Whenever two-thirds of the members elected to each branch of the legislature shall think it necessary to call a conven-

tion to revise, amend or change this Constitution, they shall recommend to the electors to vote at the next election of members to the legislature, for or against a convention; and if a majority of all the electors voting at such election shall have voted for a convention, the legislature shall, at the next session, provide for calling the same.

## ARTICLE 15.

### MISCELLANEOUS.

SECTION 1. All officers whose election or appointment is not otherwise provided for, shall be chosen or appointed as may be prescribed by law.

SEC. 2. The tenure of any office not herein provided for may be declared by law; when not so declared such office shall be held during the pleasure of the authority making the appointment, but the legislature shall not create any office the tenure of which shall be longer than four years.

SEC. 3. Lotteries and the sale of lottery tickets are forever prohibited.

SEC. 4. All public printing shall be done by a State Printer, who shall be elected by the legislature in joint session, and shall hold his office for two years, and until his successor shall be elected and qualified. The joint session of the legislature for the election of a State Printer shall be on the third Tuesday of January, A. D., 1869, and every two years thereafter. All public printing shall be done at the capital, and the prices for the same shall be regulated by law.

SEC. 5. An accurate and detailed statement of the receipts and expenditures of the public moneys, and the several amounts paid, to whom, and on what account, shall be published, as prescribed by law.

SEC. 6. The legislature shall provide for the protection of the rights of women in acquiring and possessing property, real, personal and mixed, separate and apart from the husband; and shall also provide for their equal rights in the possession of their children.

SEC. 7. The legislature may reduce the salaries of officers who shall neglect the performance of any legal duty.

SEC. 8. The temporary seat of Government is hereby located at the city of Topeka, county of Shawnee. The first legislature under this Constitution shall provide by law for submitting the question of the permanent location of the capital to a popular



vote, and a majority of all the votes cast at some general election shall be necessary for such location.

SEC. 9. A homestead, to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all improvements on the same, shall be exempted from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; provided, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife.

SEC. 10. The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medical, scientific and mechanical purposes.

## SCHEDULE.

SECTION 1. That no inconvenience may arise from the change from a Territorial Government to a permanent State Government, it is declared by this Constitution, that all suits, rights, actions, prosecutions, recognizances, contracts, judgments and claims, both as respects individuals and bodies corporate, shall continue as if no change had taken place.

SEC. 2. All fines, penalties and forfeitures, owing to the Territory of Kansas, or any county, shall inure to the use of the State or county. All bonds executed to the Territory, or any officer thereof in his official capacity, shall pass over to the Governor, or other officers of the State or county, and their successors in office, for the use of the State or county, or by him or them to be respectively assigned over to the use of those concerned, as the case may be.

SEC. 3. The Governor, Secretary and judges, and all other officers, both civil and military, under the Territorial Government, shall continue in the exercise of the duties of their respective departments until the said officers are superseded under the authority of this Constitution.

SEC. 4. All laws and parts of laws in force in the Territory at the time of the acceptance of this Constitution by Congress, not inconsistent with this Constitution, shall continue and remain in full force until they expire, or shall be repealed.

SEC. 5. The Governor shall use his private seal until a State seal is provided.

SEC. 6. The Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney-General and Superintendent of Public Instruction shall keep their respective offices at the seat of Government.

SEC. 7. All records, documents, books, papers, moneys and vouchers belonging and pertaining to the several Territorial courts and offices, and to the several district and county offices, at the date of the admission of this State into the Union, shall be disposed of in such manner as may be prescribed by law.

SEC. 8. All suits, pleas, complaints and other proceedings pending in any court of record, or justices' court, may be prosecuted to final judgment and execution; and all appeals, writ of error, *certiorari* injunctions, or other proceedings whatever, may progress and be carried on as if this Constitution had not been adopted, and the legislature shall direct the mode in which such suits, pleas, complaints, prosecutions and other proceedings, and all papers, records, books and documents connected therewith, may be removed to the courts established by this Constitution.

SEC. 9. For the purpose of taking the vote of the electors of this Territory for the ratification or rejection of this Constitution, an election shall be held in the several voting precincts in this Territory, on the first Tuesday in October, A. D., 1859.

SEC. 10. Each elector shall express his assent or dissent by voting a written or printed ballot labeled "For the Constitution," or "Against the Constitution."

SEC. 11. If a majority of all the votes cast at such election shall be in favor of the Constitution, then there shall be an election held in the several voting precincts on the first Tuesday in December, A. D., 1859, for the election of members of the first legislature, of all State, district and county officers provided for in this Constitution, and for a representative in congress.

SEC. 12. All persons having the qualification of electors, according to the provisions of this Constitution, at the date of each of said elections, and who shall have been duly registered according to the provisions of the registry law of this Territory, and none others, shall be entitled to vote at each of said elections.

SEC. 13. The persons who may be judges of the several voting precincts of this Territory at the date of the respective elections in this schedule provided for, shall be the judges of the respective elections herein provided for.

SEC. 14. The said judges of election, before entering upon the duties of their office, shall take and subscribe an oath faithfully to

discharge their duties as such. They shall appoint two clerks of election, who shall be sworn by one of said judges faithfully to discharge their duties as such. In the event of a vacancy in the board of judges the same shall be filled by the electors present.

SEC. 15. At each of the elections provided for in this schedule the polls shall be open between the hours of nine and ten o'clock, A. M., and close at sunset.

SEC. 16. The tribunals transacting county business of the several counties, shall cause to be furnished to the boards of judges in their respective counties two poll books for each election hereinbefore provided for, upon which the clerks shall inscribe the name of every person who may vote at the said elections.

SEC. 17. After closing the polls at each of the elections provided for in this schedule, the judges shall proceed to count the votes cast, and designate the persons or objects for which they were cast, and shall make two correct tally lists of the same.

SEC. 18. Each of the boards of judges shall safely keep one poll book and tally list, and the ballots cast at each election; and shall, within ten days after such election, cause the other poll book and tally list to be transmitted, by the hands of a sworn officer, to the clerk of the board transacting county business in their respective counties, or to which the county may be attached for municipal purposes.

SEC. 19. The tribunals transacting county business shall assemble at the county seats of their respective counties on the second Tuesday after each of the elections provided for in this schedule, and shall canvass the votes cast at the elections held in the several precincts in their respective counties, and of the counties attached for municipal purposes. They shall hold in safe keeping the poll books and tally lists of said elections, and shall, within ten days thereafter, transmit, by the hands of a sworn officer, to the President of this convention, at the city of Topeka, a certified transcript of the same, showing the number of votes cast for each person or object voted for at each of the several precincts in their respective counties, and in the counties attached for municipal purposes, separately.

SEC. 20. The Governor of the Territory, and the President and Secretary of the convention shall constitute a board of State canvassers, any two of whom shall be a quorum; and who shall, on the fourth Monday after each of the elections provided for in this schedule, assemble at said city of Topeka, and proceed to open and canvass the votes cast at the several precincts in the different counties of the Territory, and declare the result; and shall immediately issue certificates of election to all persons (if any) thus elected.

SEC. 21. Said board of State canvassers shall issue their proclamation not less than twenty days next preceding each of the elections provided for in this schedule. Said proclamation shall contain an announcement of the several elections, the qualifications of electors, the manner of conducting said elections and of making the returns thereof, as in this Constitution provided, and shall publish said proclamation in one newspaper in each of the counties of the Territory in which a newspaper may be then published.

SEC. 22. The board of State canvassers shall provide for the transmission of authenticated copies of the Constitution to the President of the United States, the president of the senate and speaker of the house of representatives.

SEC. 23. Upon official information having been by him received of the admission of Kansas into the Union as a State, it shall be the duty of the Governor-elect under the Constitution, to proclaim the same, and to convene the legislature and do all things else necessary to the complete and active organization of the State Government.

SEC. 24. The first legislature shall have no power to make any changes in county lines.

SEC. 25. At the election to be held for the ratification or rejection of this Constitution, each elector shall be permitted to vote on the homestead provision contained in the article on "Miscellaneous," by depositing a ballot inscribed "For the Homestead," or "Against the Homestead;" and if a majority of all the votes cast at said election shall be against said provision, then it shall be stricken from the Constitution.

## RESOLUTIONS.

RESOLVED, That the congress of the United States is hereby requested, upon the application of Kansas for admission into the Union, to pass an act granting to the State forty-five hundred thousand acres of land to aid in the construction of railroads and other internal improvements.

*Resolved,* That congress be further requested to pass an act appropriating fifty thousand acres of land for the improvement of the Kansas river from its mouth to Fort Riley.

*Resolved,* That congress be further requested to pass an act granting all swamp lands within the State for the benefit of common schools.

*Resolved,* That congress be further requested to pass an act appropriating five hundred thousand dollars, or in lieu thereof

five hundred thousand acres of land, for the payment of the claims awarded to citizens of Kansas by the claim commissioners appointed by the Governor and legislature of Kansas under an act of the Territorial legislature passed 7th of February, 1859.

*Resolved*, That the legislature shall make provision for the sale or disposal of the lands granted to the State in aid of internal improvements and for other purposes, subject to the same rights of pre-emption to the settlers thereon as are now allowed by law to settlers on the public lands.

*Resolved*, That it is the desire of the people of Kansas to be admitted into the Union with this Constitution.

*Resolved*, That congress be further requested to assume the debt of this Territory.

Done in convention at Wyandotte, this 29th day of July, A. D., 1859.

JAMES M. WINCHELL,

President and Member from Osage County.

JAMES M. ARTHUR, Linn Co.  
JAMES BLOOD, Douglas Co.  
N. C. BLOOD, Douglas Co.  
JAMES G. BLUNT, Anderson Co.  
J. C. BURNETT, Bourbon Co.  
JOHN TAYLOR BURRIS, Johnson Co.  
ALLEN CROCKER, Coffey Co.  
W. P. DUTTON, Lykins Co.  
ROBT. GRAHAM, Atchison Co.  
JOHN P. GREER, Shawnee Co.  
WM. R. GRIFFITH, Bourbon Co.  
JAMES HANWAY, Franklin Co.  
SAML. E. HOFFMAN, Woodson Co.  
S. D. HOUSTON, Riley Co.  
WM. HUTCHINSON, Douglas Co.  
JOHN JAMES INGALLS, Atchison Co.

SAMUEL A. KINGMAN, Brown Co.  
JOSIAH LAMB, Linn Co.  
GEORGE H. LILLIE, Madison Co.  
CALEB MAY, Atchison Co.  
WM. McCULLOUGH, Morris Co.  
J. A. MIDDLETON, Marshall Co.  
LUTHER R. PALMER, Pottawatomie Co.  
ROBT. J. PORTER, Doniphan Co.  
H. D. PRESTON, Shawnee Co.  
JOHN RITCHIE, Shawnee Co.  
EDMUND G. ROSS, Wabaunsee Co.  
JAMES A. SIGNOR, Allen Co.  
BENJAMIN F. SIMPSON, Lykins Co.  
EDWIN STOKES, Douglas Co.  
SOLON O. THACHER, Douglas Co.  
P. H. TOWNSEND, Douglas Co.  
R. L. WILLIAMS, Douglas Co.

*Attest*: JOHN A. MARTIN, Secretary.

The following named delegates did not sign the Constitution:

J. T. BARTON, Johnson Co.  
FRED. BROWN, Leavenworth Co  
J. W. FORMAN, Doniphan Co.  
ROBT. COLE FOSTER, Leavenworth Co.  
SAM. HIPPLE, Leavenworth Co.  
E. M. HUBBARD, Doniphan Co.  
C. B. McCLELLAND, Jefferson Co.  
WM. C. McDOWELL, Leavenworth Co.

A. D. McCUNE, Leavenworth Co.  
E. MOORE, Jackson Co.  
P. S. PARKS, Leavenworth Co.  
WM. PERRY, Leavenworth Co.  
JOHN P. SLOUGH, Leavenworth Co.  
J. STIARWALT, Doniphan Co.  
S. A. STINSON, Leavenworth Co.  
B. WRIGLEY, Doniphan Co.  
JOHN WRIGHT, Leavenworth Co.  
T. S. WRIGHT, Nemaha Co.

# KANSAS GOVERNMENT.

COMPLETE LIST OF TERRITORIAL AND STATE OFFICERS FROM THE  
ORGANIZATION OF THE TERRITORY OF KANSAS TO JAN. 1, 1899.

## KANSAS TERRITORIAL OFFICERS—1854-1861.

### GOVERNORS.

- Andrew H. Reeder. Term, Oct. 7, 1854, to Aug. 16, 1855. Commissioned, June 29, 1854.
- Daniel Woodson. Term, Apr. 17 to June 23, 1855. Secretary and Acting Governor, Aug. 16 to Sept. 7, 1855; June 24 to July 7, 1856; Aug. 18 to Sept. 9, 1856; Mar. 12 to Apr. 16, 1857.
- Wilson Shannon. Term, Sept. 7, 1855, to Aug. 18, 1856. Commissioned, Aug. 10, 1855.
- John White Geary. Term, Sept. 9, 1856, to Mar. 12, 1857. Confirmed, July 31, 1856.
- Frederick P. Stanton. Term, Apr. 16 to May 27, 1857. Secretary and Acting Governor, Nov. 16 to Dec. 21, 1857.
- Robert John Walker. Term, May 27 to Nov. 16, 1857. Commissioned, Mar. 30, 1857.
- James W. Denver. Term, Dec. 21, 1857, to Oct. 10, 1858. Secretary and Acting Governor until May 12, 1858, when he was appointed Governor.
- Hugh Sleight Walsh. Term, July, 1858, and Oct. 10 to Dec. 17, 1858.
- Samuel Medary. Term, Dec. 18, 1858, to Dec. 17, 1860. Appointed Nov. 19, 1858.
- George M. Beebe. Term, Dec. 17, 1860, to Feb. 9, 1861. Secretary and Acting Governor.

### SECRETARIES.

- Daniel Woodson. Term, June 29, 1854, to Apr. 16, 1857. Commissioned, June 29, 1854.
- Frederick P. Stanton. Term, Apr. 15 to Dec. 21, 1857. Commissioned, Mar. 31, 1857.
- James W. Denver. Term, Dec. 21, 1857, to May 12, 1858. Commissioned, Dec. 11, 1857.
- Hugh Sleight Walsh. Term, May 12, 1858, to July 1, 1860.
- George M. Beebe. Term, July 1, 1860, to Feb. 9, 1861. Appointed May 1, 1860.

### AUDITORS.

- John Donaldson. Term, Aug. 30, 1855, to Feb. 20, 1857.
- Hiram Jackson Strickler. Term, Feb. 20, 1857, to Feb., 1861.

## TREASURERS.

Thomas J. B. Cramer. Term, Aug. 30, 1855, to Feb., 1859.  
Robert B. Mitchell. Term, Feb. 11, 1859, to Feb., 1861.

## SUPERINTENDENTS OF SCHOOLS.

James H. Noteware. Term, Mar. 1 to Dec. 1, 1858. Appointed, Feb. 12, 1858.  
Samuel Wiley Greer. Term, Dec. 1, 1858, to Jan. 2, 1861. Elected, Oct. 4, 1858.  
John C. Douglass. Term, Jan. 2 to Feb., 1861. Elected, Nov. 6, 1860.

## TERRITORIAL CHIEF JUSTICE.

Samuel Dexter Lecompte. Term, Oct. 3, 1854, to Mar. 9, 1859.  
John Pettit. Term, Mar. 9, 1859, to Feb., 1861.

## ASSOCIATE JUSTICES.

Saunders W. Johnston. Term, June 29, 1854, to Sept. 13, 1855.  
J. M. Burrell. Term, Sept. 13, 1855. Served but a few weeks, and returned home, dying in 1856.  
Thomas Cunningham. Term, Nov. 19, 1856, to June 3, 1857.  
Joseph Williams. Term, June 3, 1857, to Jan., 1861.  
Rush Elmore. Term, June 29, 1854, to Sept. 13, 1855.  
Sterling G. Cato. Term, Sept. 13, 1855, to July, 1858.  
Rush Elmore. Term, July, 1858, to Jan., 1861.

## STATE OFFICERS OF KANSAS—1861-1899.

## GOVERNORS.

Charles Robinson. Residence, Lawrence. Elected, Dec. 6, 1859. Took oath of office, Feb. 9, 1861.  
Thomas Carney. Residence, Leavenworth. Elected, Nov. 4, 1862.  
Samuel J. Crawford. Residence, Garnett. Elected, Nov. 8, 1864. Twice elected. Resigned, Nov. 4, 1868, to take command 19th Reg.  
Nehemiah Green. Residence, Manhattan. Acting Governor. Elected, Lieut.-Gov., Nov. 6, 1866.  
Jas. M. Harvey. Residence, Fort Riley. Elected, Nov. 3, 1868. Served two terms.  
Thomas A. Osborn. Residence, Leavenworth. Elected, Nov. 5, 1872. Served two terms.  
George T. Anthony. Residence, Leavenworth. Elected, Nov. 7, 1876.  
John P. St. John. Residence, Olathe. Elected, Nov. 5, 1878. Served two terms.  
George W. Glick. Residence, Atchison. Elected, Nov. 7, 1882.  
John A. Martin. Residence, Atchison. Elected, Nov. 4, 1884. Served two terms.

Lyman U. Humphrey. Residence, Independence. Elected, Nov. 6, 1888. Served two terms.  
 Lorenzo D. Lewelling. Residence, Wichita. Elected, Nov. 8, 1892.  
 Edmund N. Morrill. Residence, Hiawatha. Elected, Nov. 6, 1894.  
 John W. Leedy. Residence, Le Roy. Elected, Nov. 3, 1896.  
 William E. Stanley. Residence, Wichita. Elected, Nov. 8, 1898.

#### LIEUTENANT-GOVERNORS.

Joseph P. Root. Residence, Wyandotte. Elected, Dec. 6, 1859. Took oath of office, Feb. 9, 1861.  
 Thomas A. Osborn. Residence, Elwood. Elected, Nov. 4, 1862.  
 James McGrew. Residence, Wyandotte. Elected, Nov. 8, 1864.  
 Nehemiah Green. Residence, Manhattan. Elected, Nov. 6, 1866.  
 Charles V. Eskridge. Residence, Emporia. Elected, Nov. 3, 1868.  
 Peter P. Elder. Residence, Ottawa. Elected, Nov. 8, 1870.  
 Elias S. Stover. Residence, Council Grove. Elected, Nov. 5, 1872.  
 Melville J. Salter. Residence, Thayer. Elected, Nov. 3, 1874. Twice elected. Resigned, July 19, 1877.  
 Lyman U. Humphrey. Residence, Independence. Elected, Nov. 6, 1877. Elected, vice Salter, resigned. Re-elected, Nov. 5, 1878.  
 D. W. Finney. Residence, Neosho Falls. Elected, Nov. 2, 1880. Served two terms.  
 Alex. P. Riddle. Residence, Girard. Elected, Nov. 4, 1884. Served two terms.  
 Andrew J. Felt. Residence, Seneca. Elected, Nov. 6, 1888. Served two terms.  
 Percy Daniels. Residence, Girard. Elected, Nov. 8, 1892.  
 James A. Troutman. Residence, Topeka. Elected, Nov. 6, 1894.  
 A. M. Harvey. Residence, Topeka. Elected, Nov. 3, 1896.  
 H. E. Richter. Residence, Council Grove. Elected, Nov. 8, 1898.

#### SECRETARIES OF STATE.

John Winter Robinson. Residence, Manhattan. Elected, Dec. 6, 1859. Took oath of office, 1861. Removed, July 28, 1862.  
 Sanders Rufus Shepherd. Residence, Topeka. Appointed, vice Robinson, Aug., 1862.  
 Wm. Wirt Henry Lawrence. Residence, Peoria City. Elected, Nov. 4, 1862.  
 Rinaldo Allen Barker. Residence, Atchison. Elected, Nov. 8, 1864. Served two terms.  
 Thomas Moonlight. Residence, Leavenworth. Elected, Nov. 3, 1868.  
 Wm. Hillary Smallwood. Residence, Wathena. Elected, Nov. 8, 1870. Served two terms.  
 Thos. H. Cavanaugh. Residence, Salina. Elected, Nov. 3, 1874. Served two terms.  
 James Smith. Residence, Marysville. Elected, Nov. 5, 1878. Served three terms.  
 Edwin Bird Allen. Residence, Wichita. Elected, Nov. 4, 1884. Served two terms.  
 William Higgins. Residence, Topeka. Elected, Nov. 6, 1888. Served two terms.  
 Russel Scott Osborn. Residence, Stockton. Elected, Nov. 8, 1892.  
 Wm. Congdon Edwards. Residence, Larned. Elected, Nov. 6, 1894.  
 William Eben Bush. Residence, Mankato. Elected, Nov. 3, 1896.  
 George Alfred Clark. Residence, Junction City. Elected, Nov. 8, 1898.



## AUDITORS.

- George Shaler Hillyer. Residence, Grasshopper Falls. Elected, Dec. 6, 1859. Took oath of office, Feb., 1861. Removed, July 28, 1862.
- David Long Lakin. Residence, Grasshopper Falls. Appointed, vice Hillyer, Aug., 1862.
- Asa Hairgrove. Residence, Mound City. Elected, Nov. 4, 1862.
- John R. Swallow. Residence, Emporia. Elected, Nov. 8, 1864. Served two terms.
- Alois Thoman. Residence, Lawrence. Elected, Nov. 3, 1868. Served two terms.
- Daniel Webster Wilder. Residence, Fort Scott. Elected, Nov. 5, 1872. Twice elected; resigned, Sept. 20, 1876.
- Parkinson Isaiah Bonebrake. Residence, Topeka. Appointed, Oct. 2, 1876.
- Parkinson I. Bonebrake. Residence, Topeka. Elected, Nov. 7, 1876. Twice re-elected.
- Edward P. McCabe. Residence, Milbrook. Elected, Nov. 7, 1882. Served two terms.
- Timothy McCarthy. Residence, Larned. Elected, Nov. 2, 1886. Served two terms.
- Charles Merrill Hovey. Residence, Colby. Elected, Nov. 4, 1890.
- Van B. Prather. Residence, Columbus. Elected, Nov. 8, 1892.
- George Ezekiel Cole. Residence, Girard. Elected, Nov. 6, 1894.
- William H. Morris. Residence, Pittsburg. Elected, Nov. 3, 1896.
- George Ezekiel Cole. Residence, Pittsburg. Elected, Nov. 8, 1898.

## TREASURERS.

- William Tholen. Residence, Leavenworth. Elected, Dec. 6, 1859. Entered army, and did not qualify.
- Horatio R. Dutton. Residence, Hiawatha. Appointed by Governor, Mar. 26, 1861.
- Horatio R. Dutton. Residence, Hiawatha. Elected, Nov. 5, 1861. Elected for remainder of term.
- William Spriggs. Residence, Garnett. Elected, Nov. 4, 1864. Served two terms.
- Martin Anderson. Residence, Circleville. Elected, Nov. 6, 1866.
- George Graham. Residence, Seneca. Elected, Nov. 3, 1868.
- Josiah Emery Hayes. Residence, Olathe. Elected, Nov. 8, 1870. Twice elected. Resigned, April 30, 1874.
- John Francis. Residence, Iola. Appointed, vice Hayes, May 1, 1874.
- Samuel Lappin. Residence, Seneca. Elected, Nov. 3, 1874. Resigned, Dec. 20, 1875.
- John Francis. Residence, Iola. Appointed, vice Lappin, Dec. 21, 1875.
- John Francis. Residence, Iola. Elected, Nov. 7, 1876. Elected and served three regular terms.
- Samuel T. Howe. Residence, Marion. Elected, Nov. 7, 1882. Served two terms.
- James Wm. Hamilton. Residence, Wellington. Elected, Nov. 2, 1886. Elected for two terms. Resigned, March 1, 1890.
- William Sims. Residence, Topeka. Appointed, vice Hamilton, Mar. 1, 1890, and served until Dec. 30, 1890.
- Solomon G. Stover. Residence, Belleville. Elected, Nov. 4, 1890. Elected, vice Hamilton, and for next regular term.
- Wm. Henry Biddle. Residence, Augusta. Elected, Nov. 8, 1892.
- Otis L. Atherton. Residence, Russell. Elected, Nov. 6, 1894.
- David H. Heflebower. Residence, Bucyrus. Elected, Nov. 3, 1896.
- Frank E. Grimes. Residence, Leoti. Elected, Nov. 8, 1898.

## ATTORNEY-GENERALS.

- Benjamin Franklin Simpson. Residence, Paola. Elected, Dec. 6, 1859. Resigned, July, 1861.
- Charles Chadwick. Residence, Lawrence. Appointed, vice Simpson, July 30, 1861.
- Samuel A. Stinson. Residence, Leavenworth. Elected, Nov. 5, 1861.
- Warren Wm. Guthrie. Residence, Carson. Elected, Nov. 4, 1862.
- Jerome D. Brumbaugh. Residence, Marysville. Elected, Nov. 8, 1864.
- George Henry Hoyt. Residence, Leavenworth. Elected, Nov. 6, 1866.
- Addison Danford. Residence, Fort Scott. Elected, Nov. 3, 1868.
- Archibald L. Williams. Residence, Topeka. Elected, Nov. 8, 1870. Served two terms.
- Asa M. F. Randolph. Residence, Burlington. Elected, Nov. 3, 1874.
- Willard Davis. Residence, Oswego. Elected, Nov. 7, 1876. Served two terms.
- William A. Johnston. Residence, Minneapolis. Elected, Nov. 2, 1880. Elected for two terms. Resigned, Dec. 1, 1884, to become Associate Justice.
- George P. Smith. Residence, Humboldt. Appointed, vice Johnston, resigned, Dec. 1, 1884.
- Simeon Briggs Bradford. Residence, Carbondale. Elected, Nov. 4, 1884. Served two terms.
- Lyman Beecher Kellogg. Residence, Emporia. Elected, Nov. 6, 1888.
- John Nutt Ives. Residence, Sterling. Elected, Nov. 4, 1890.
- John Thomas Little. Residence, Olathe. Elected, Nov. 8, 1892.
- Fernando B. Dawes. Residence, Clay Center. Elected, Nov. 6, 1894.
- Louis C. Boyle. Residence, Fort Scott. Elected, Nov. 3, 1896.
- Aretas A. Godard. Residence, Topeka. Elected, Nov. 8, 1898.

## SUPERINTENDENTS PUBLIC INSTRUCTION.

- William Riley Griffith. Residence, Marmaton. Elected, Dec. 6, 1859. Took oath of office, Feb., 1861. Died, Feb. 12, 1862.
- Simeon Montgomery Thorp. Residence, Lawrence. Appointed to fill vacancy, Mar. 28, 1862.
- Isaac T. Goodnow. Residence, Manhattan. Elected, Nov. 4, 1862. Served two terms.
- Peter McVicar. Residence, Topeka. Elected, Nov. 6, 1866. Served two terms.
- Hugh DeFrance McCarty. Residence, Leavenworth. Elected, Nov. 8, 1870. Served two terms.
- John Fraser. Residence, Lawrence. Elected, Nov. 3, 1874.
- Allen Borsley Lemmon. Residence, Winfield. Elected, Nov. 7, 1876. Served two terms.
- Henry Clay Speer. Residence, Junction City. Elected, Nov. 2, 1880. Served two terms.
- Joseph Hadden Lawhead. Residence, Fort Scott. Elected, Nov. 4, 1884. Served two terms.
- George Wesley Winans. Residence, Junction City. Elected, Nov. 6, 1888. Served two terms.
- Henry Newton Gaines. Residence, Salina. Elected, Nov. 8, 1892.
- Edmund Stanley. Residence, Lawrence. Elected, Nov. 6, 1894.
- William Stryker. Residence, Great Bend. Elected, Nov. 3, 1896.
- Frank Nelson. Residence, Lindsborg. Elected, Nov. 8, 1898.

## CHIEF JUSTICES.

- Thomas Ewing, Jr. Residence, Leavenworth. Elected, Dec. 6, 1859. Resigned, Nov. 28, 1862.  
 Nelson Cobb. Residence, Lawrence. Appointed, vice Ewing, Nov. 28, 1862.  
 Robert Crozier. Residence, Leavenworth. Elected, Nov. 3, 1863.  
 Samuel Austin Kingman. Residence, Atchison. Elected, Nov. 6, 1866.  
 Samuel Austin Kingman. Residence, Atchison. Elected, Nov. 5, 1872. Resigned, Dec. 30, 1876.  
 Albert Howell Horton. Residence, Atchison. Appointed, vice Kingman, Dec. 31, 1876.  
 Albert Howell Horton. Residence, Atchison. Elected, Nov. 6, 1877.  
 Albert Howell Horton. Residence, Atchison. Elected, Nov. 5, 1878.  
 Albert Howell Horton. Residence, Atchison. Elected, Nov. 4, 1884.  
 Albert Howell Horton. Residence, Atchison. Elected, Nov. 4, 1890. Resigned, April 30, 1895.  
 David Martin. Residence, Atchison. Appointed, vice Horton April 30, 1895.  
 David Martin. Residence, Atchison. Elected, Nov. 4, 1895.  
 Frank Doster. Residence, Marion. Elected, Nov. 3, 1896.

## ASSOCIATE JUSTICES.

- Samuel A. Kingman. Residence, Hiawatha. Elected, Dec. 6, 1859.  
 Jacob Safford. Residence, Topeka. Elected, Nov. 8, 1864.  
 David Josiah Brewer. Residence, Leavenworth. Elected, Nov. 8, 1870.  
 David Josiah Brewer. Residence, Leavenworth. Elected, Nov. 7, 1876.  
 David Josiah Brewer. Residence, Leavenworth. Elected, Nov. 7, 1882. Resigned, April 8, 1884.  
 Theodore A. Hurd. Residence, Leavenworth. Appointed, vice Brewer, April 12, 1884.  
 William A. Johnston. Residence, Minneapolis. Elected, Nov. 4, 1884. Elected, vice Brewer. Resigned office of Attorney-General of Kansas, Dec. 1, 1884, to become Associate Justice.  
 William A. Johnston. Residence, Minneapolis. Elected, Nov. 6, 1888.  
 William A. Johnston. Residence, Minneapolis. Elected, Nov. 6, 1894.  
 Lawrence Dudley Bailey. Residence, Emporia. Elected, Dec. 6, 1859.  
 Lawrence Dudley Bailey. Residence, Emporia. Elected, Nov. 4, 1862.  
 Daniel Milford Valentine. Residence, Ottawa. Elected, Nov. 3, 1868.  
 Daniel Milford Valentine. Residence, Ottawa. Elected, Nov. 3, 1874.  
 Daniel Milford Valentine. Residence, Topeka. Elected, Nov. 2, 1880.  
 Daniel Milford Valentine. Residence, Topeka. Elected, Nov. 2, 1886.  
 Stephen H. Allen. Residence, Pleasanton. Elected, Nov. 8, 1892.  
 William Redwood Smith. Residence, Kansas City. Elected, Nov. 8, 1898.

## UNITED STATES SENATORS.

- James H. Lane. Residence, Lawrence. Elected, Apr. 4, 1861.  
 James H. Lane. Residence, Lawrence. Elected, Jan. 12, 1865. Died, July 11, 1866.  
 Edmund G. Ross. Residence, Lawrence. Appointed, vice Lane, July 20, 1866.  
 Edmund G. Ross. Residence, Lawrence. Elected, Jan. 23, 1867. Elected to fill vacancy, vice Lane.  
 Alexander Caldwell. Residence, Leavenworth. Elected, Jan. 25, 1871. Resigned, Mar. 24, 1873.  
 Robert Crozier. Residence, Leavenworth. Appointed, vice Caldwell, Nov. 22, 1873.  
 James M. Harvey. Residence, Vinton. Elected, Feb. 2, 1874. Elected, vice Caldwell.

Preston Bierce Plumb.	Residence, Emporia.	Elected, Jan. 31, 1877.	
Preston Bierce Plumb.	Residence, Emporia.	Elected, Jan. 24, 1883.	
Preston Bierce Plumb.	Residence, Emporia.	Elected, Jan. 23, 1889.	Died at Washington, Dec. 20, 1891.
Bishop W. Perkins.	Residence, Oswego.	Appointed, vice Plumb, Jan. 1, 1892.	
John Martin.	Residence, Topeka.	Elected, Jan. 25, 1893.	Elected, vice Plumb.
Lucien Baker.	Residence, Leavenworth.	Elected, Jan. 23, 1895.	
Samuel C. Pomeroy.	Residence, Atchison.	Elected, Apr. 4, 1861.	
Samuel C. Pomeroy.	Residence, Atchison.	Elected, Jan. 23, 1867.	
John James Ingalls.	Residence, Atchison.	Elected, Jan. 29, 1873.	
John James Ingalls.	Residence, Atchison.	Elected, Jan. 31, 1879.	
John James Ingalls.	Residence, Atchison.	Elected, Jan. 28, 1885.	
William Alfred Pepper.	Residence, Topeka.	Elected, Jan. 28, 1891.	
William A. Harris.	Residence, Linwood.	Elected, Jan. 27, 1897.	

## ADDENDA.

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Page 42, Paragraph 58:

OPPOSITION TO BILL.—The passage of the bill was fought at every step, and its triumph was received throughout the North with demonstrations of grief and anger. A great number of American citizens with the experiences of the Missouri Compromise of 1820, the Fugitive Slave Law, and the Compromise of 1850, and with the Dred Scott Case then pending in the Missouri courts, did not believe that the bill meant an honest submission of the question of slavery to the *bona fide* settlers of Kansas or meant anything except a determined purpose to force slavery upon Kansas and upon every territory in the United States.

Page 161, Paragraph 251: The name of John Francis, treasurer, should be inserted.

CHAPTER XXXVII, KANSAS IN THE WAR, is, of necessity, marked by some inaccuracies. At the time of its writing official reports and records were not obtainable, and the only sources of history then current were the press dispatches to the American newspapers. As rapidly as possible the errors, while not important, will be corrected.

Page 259, Paragraph 449: Hutchinson should be recorded as furnishing a company (along with Kingman, Wichita, Eldorado, etc.).

Page 265, in Paragraph 460:

The *Indiana* arrived at Honolulu on the 6th of November. On the 8th, election day, the polls were opened, etc.

Page 266, Paragraph 461:

THE FIRST TO FALL.—More serious business was to follow. On the night of the 4th of February, 1899, the men of the Twentieth were engaged with the Filipinos. Private Charles Pratt of Company M, was killed, shot through the head, before noon of the 5th; and on the afternoon of the 7th the gallant Lieutenant Alford was killed.

Page 266, Paragraph 462:

THE ENGAGEMENT OF FEBRUARY 7TH.—In this engagement the Kansas soldiers displayed the qualities which have since distinguished them. The Filipinos were massed in front of the Kansans and at 3:30 p. m., February 7th, 1899, Companies B, C, I and a part of E were ordered to charge the woods. With Colonel Funston on the right and Major Metcalf on the left the line moved forward and was almost immediately in fierce encounter. Lieutenant Alford, in his place in command of Company B, had just shouted "Keep going, but move steadier," when he fell dead, being struck in the face with a Remington ball. The insurgents were driven back before the impetuous advance, but at the cost of Lieutenant Alford and Sergeant Sheldon, killed, and five others wounded. The battle of Caloocan occurred on February 10th and added new glory to the Kansan's reputation.

Page 267, Paragraph 464:

THE ADVANCE TO MALOLOS.—The Kansas regiment took part in the movement to Malolos begun on March 25, by which the enemy's line was broken in two. In the advance of March 27th to the Marilao River, Lieutenant Hardy of Company H, Chief Trumpeter Barshfield, and Corporal Drysdale, of Company H, swam the river under fire for the purpose of securing bamboo rafts on which to cross the river. These men were followed in a few moments by Privates Huntsman and Willey, of Company H, with whose assistance the rafts were obtained and a bridge constructed, upon which Colonel Funston and a platoon from Company C crossed

the river and secured many of the insurgents. On March 31 Colonel Funston and a party of his men were first to enter Malolos, the Filipino capital.

Page 269:

Lines 4 and 5, omit "*who fell at Caloocan,*" and insert "*Lieutenant Alford.*"

Page 269, insert before Paragraph 466:

THE HOME-COMING OF THE TWENTIETH.—The regiment embarked on the United States transport, *Tartar*, on the second day of September, 1899, and sailed out of Manila Bay on the following afternoon. On the evening of October 10, the transport reached San Francisco. The regiment was mustered out of service on October 28. On the 3rd of November, at Topeka, a reception was tendered to the members of the regiment by the citizens of Kansas, who came in great crowds from all parts of the State to do honor to the brave "Twentieth boys," who had added another brilliant page to the annals of Kansas.





# INDEX.

## A

Abbott, J. B., 58, 251.  
 Abilene, 156, 241, 259, 275.  
 Academy of Science 287.  
 Act for Admission into the Union,  
   332.  
 Adams, Capt., 129.  
 Adams, Chas W., 120.  
 Adams, F. G., 121, 282.  
 Adams, Henry J., 71.  
 Ady, Joseph W., 223.  
 Alfalfa, 209.  
 Alford, Lieut., 266, 273.  
 Alexis, Grand Duke, 145.  
 Alien Ownership of Land, 208.  
 Alien Residence, 208.  
 Alger, Secretary of War, 257.  
 Allen, Clay, 260.  
 Allen, Judge, 216, 223.  
 Allerton, Mrs., 297.  
 Allman, George, 294.  
 American Flag, The; First Time  
   Raised in Kansas, 20.  
 Anderson, Jno. A., 211.  
 Anderson, Rev. J. W. D., 296.  
 Anderson, Thos. G., 282.  
 Andreas' History of Kansas, 295.  
 Anthony, D. R., 97, 165, 294.  
 Anthony, Geo. T., 138, 177, 246.  
 Anthony, Town of, 141.  
 Appellate Courts, 243.  
 Apple Orchards, 238.  
 Arbor Day, 282, 286.  
 Argonia, 193.  
 Arkansas City, 194, 240.  
 Arkansas River, 17, 27, 30, 186.  
 Armstrong, Frank C., 260.  
 Armstrong, Lucy B., 218.  
 Armourdale, 240.  
 Arny, W. F. N., 71, 92.  
 Atchison, City of, 48, 56, 113, 153,  
   168, 171, 176, 196, 198, 210,  
   260.  
 Atchison, David R., 50, 63, 67.  
 Atchison, First Fourth of July, 16.

## B

"Bad Years," 180.  
 Bailey, Lawrence D., 91, 198.  
 Baker, C. C., 177, 187.  
 Baker, Lucien, 243.  
 Baker University, 123, 176, 260.  
 Baker, William, 217.  
 Baldwin, City of, 193, 260.  
 Ball, Lieut., 267.  
 Bancroft, E. P., 71.  
 Banks, Gen., 110.  
 Barber, Thos. W., 59.  
 Barsfield, Trumpter, 267.  
 Baxter Springs Massacre, 109.  
 Beck, James W., 261, 262.  
 Beebe, Geo. M., 88.  
 Beecher, Henry Ward, 176.  
 Beecher, Lieut., 136.  
 Beecher's Island, Battle of, 136.  
 Beloit, 168, 184, 240, 260.  
 Bell, The First in Kansas, 39.  
 Bellefontaine, 22.  
 Bethel College, 176.  
 Biddell, C. E., 260.  
 Biddleston, V. H., 260.  
 Biddle, W. H., 216.  
 Big Blue River, The Battle of, 114.  
 Bigelow, Rev. Russell, 218.  
 Big Springs Convention, 130.  
 Birds of Kansas, 211.  
 Bismarck Grove, 158.  
 Black Jack, 63, 83.  
 Black Laws, The, 54.  
 Black, S. W., 275.  
 Blair, Col. Chas. W., 111, 116, 120.  
 Blanton's Ridge, 58.  
 Blue, Battle of, 242.  
 Bluemont College, 140.  
 Blue Rapids, 260.  
 Blue River, 28.  
 Blunt, Gen. J. G., 80, 102, 103,  
   109, 110, 113, 114, 118, 120,  
   133, 164.  
 Bogus Legislature, 53, 278.  
 Bogus Statutes, 75.  
 Boltwood, Capt., 268.  
 Bonaparte, Napoleon, 12.  
 Booth, Henry, 187.  
 Border Troubles, 56, 58, 59, 61, 62,  
   63, 64, 65, 66, 67, 73, 74, 75, 76.

Bowen, Thos. W., 120.  
 Buchanan, President, 123.  
 Buffalo, The Disappearance of, 180.  
 Buford, Major, 63.  
 Burke, 296.  
 Burlington, 241.  
 Burney, John, 241.  
 Burris, Lieut.-Col., 113.  
 Butler, Rev. Pardee, 56.  
 Butterfield Overland Stage Company, The, 89.  
 \*Bradford, Atty.-Gen., 182.  
 Branscomb, Chas. H., 48.  
 Branson, 251.  
 Branson, Jacob, 58, 59.  
 Brewer, David J., 198.  
 Brewerton, G. Douglas, 293.  
 Britton, 296.  
 Broderick, Case, 216.  
 Brooks, Col., 111.  
 Brown's, 116.  
 Brown, Buck, 111.  
 Brown, Geo. W., 291.  
 Brown, John, 57, 63, 64, 244, 251.  
 Brown, John M., 261, 262.  
 Brown, W. L., 260.  
 Bryan, Wm. J., 245.

## C

Cabell, Gen., 117.  
 Caldwell, 194.  
 Caldwell, Alexander, 143, 148, 231.  
 Caldwell, John C., 242.  
 Calhoun, Jno., 68.  
 California, 28.  
 Campbell, Jno. W., 73.  
 Camp Leedy, 258.  
 Capital Located, 55.  
 Carney, Gov., 112, 123, 177, 181.  
 Carpenter, Judge, 108.  
 Carter Lawrence, 242.  
 Cato, Judge, 66.  
 Cattle Trade, 156.  
 Census, The First, 51.  
 Centennial Exposition, 150, 159, 162, 246; Commissioners, 150.  
 Central Normal College, 176.  
 Chanute, 241, 250.  
 Chapman, Elwood, 130.  
 Chattel Mortgage Laws, 188.  
 Cherokee Strip, The, 194, 212.  
 Cherryvale, 238, 250.  
 Chihuahua, 22.  
 Chinch Bugs, 209, 287.  
 Cimarron, 195; Crossing, 27; River, 27.  
 Clark, George Rogers, 15.  
 Clark, Wm., 15, 33.  
 Clark, Wm. J., 251.

Clarke, Sidney, 97, 119, 145.  
 Clarke, W. F., 260.  
 Clay Center, 260.  
 Clayton, Powell, 109, 120.  
 Clifton, 246.  
 Cloud, Wm. F., 120.  
 Clover, B. H., 201.  
 Coal, 219, 284.  
 Cobun, M. W., 226.  
 Cobb, Stephen A., 145.  
 Coffey, Col., 103.  
 Coffeyville, 250.  
 Colfax, 139.  
 Colonization Societies, 45, 146.  
 Colonization of Western Counties, 146, 147.  
 Colpetzer, Wm., 73.  
 Columbus, 176, 260.  
 College of Emporia, 76, 260.  
 Columbian Exposition, 203, 226.  
 Commissioner of Election, 188.  
 Commissioner of Irrigation and Forestry, 248.  
 Concordia, 127, 260.  
 Conway, Martin F., 60, 71, 91, 93, 123, 145, 164.  
 Conway Springs, 190, 196.  
 Constitutional Amendments, 154.  
 177; Convention, 208; Hall 280.  
 Constitution of Kansas, First Framed, 55; Second, 69; Submitted to People, 70; Leavenworth, 71; Lecompton, 72; Wyandotte, 87, 91, 93, 132, 234.  
 Congressman, 186; Elected, 91, 119, 139, 140, 143, 148, 152, 161, 165, 168, 173, 204, 216, 235, 245, 254.  
 Congressional Apportionment, 244.  
 Congressional Investigating Committee, 54, 62.  
 Convention, Lecompton Constitutional, 69, 280; Election of Delegates There to, 68, 70; Wyandotte Constitutional, 75, 77, 78, 79, 80, 81, 132, 165, 196, 243.  
 Cooke, Phillip St. George, 65, 66, 213.  
 Cooper, 111.  
 Cooper Memorial College, 176.  
 Cordley, Dr. Richard, 105, 107, 108, 191, 192.  
 Coronado, 14, 186, 187.  
 Cottonwood Falls, 193.  
 Couch, Capt., 171.  
 Council Grove, 27, 134.  
 Counties, Organization of, 158, 301, 325; Named, 301, 325.  
 County Seat Troubles, 182, 195, 219.

Coxey Army, The, 237.  
 Crawford, Geo. A., 150, 247.  
 Crawford, Samuel J., 120, 122, 123,  
 128, 132, 134, 135, 136, 138, 177,  
 199, 224.  
 Cross, Sheriff, 182.  
 Crozier, Robt., 143.  
 Crusade of Freedom, 130, 131.  
 Cushing, Mrs. Harriett, 272.  
 Curtis, Chas., 217.  
 Curtis, Gen., 112, 114, 115, 118,  
 133.  
 Custer, Gen., 136.  
 Cutter, Geo. A., 60.  
 Cyclones, 217, 246.

D

Daniels, Percy, 216, 220, 223.  
 Davis, Jefferson, 61, 87.  
 Davis, John, 217.  
 Deep Water Convention, 193.  
 Deford, Wm. A., 257.  
 Deitzler, George W., 99, 112, 120,  
 164.  
 Delassus, Don Carlos Dehault, 12.  
 Delahay, M. W., 60, 93, 97.  
 Delegates to Congress, 41, 50, 56,  
 60.  
 De Neidemann, W. F., 260.  
 Denver, Jas. W., 70, 73, 88.  
 Desert, The Great American, 288.  
 Dewey, Admiral, 254.  
 Dillon, Judge, 163.  
 Dodge City, 157, 168, 240, 243.  
 Dog Trail, 30.  
 Donaldson, Israel, 49, 58, 61, 242.  
 Doster, Chas., 260.  
 Douglas, Geo. L., 220.  
 Douglas, Stephen A., 41.  
 Douthard, 245.  
 Dow, 58.  
 Dow, Lorenzo, 71.  
 Doyle, Jas. P., 63.  
 Dred Scott Decision, 42.  
 Drought, 1860, 91, 180.  
 Duncan, L. C., 260.  
 Dunkard College, 176.  
 Dunsmore, J. M., 220.  
 Dyche, Prof., 227.

E

Early School Teachers, 225.  
 Educational Conditions, 228, 238.  
 Edwards, Jonathan, 13.  
 Eight-hour Day, 207.  
 Eldorado, 259.  
 Elder, P. P., 205.  
 Eldridge House, The, 280.

Elections; First Held, 50, 52;  
 State, 91, 103, 118, 138, 140,  
 143, 148, 152, 154, 161, 165, 167,  
 172, 185, 203, 216, 235, 245, 254.  
 Elliott, David G., 267.  
 Elliott, Major, 134.  
 Ellsworth, 189.  
 Elmore, Rush, 49.  
 Elwood, 253.  
 Emigrant Aid Society, The, 45.  
 Emporia, 123, 175, 240, 260.  
 English Bill, The, 72.  
 Exodus: Constitutional Investiga-  
 tion of, 153; The Negro, 152,  
 153.

F

Fagan, Gen., 111.  
 Fairfax, Lord, 262.  
 Fairmount College, 176.  
 Fall River, 102.  
 Famished Woman's Fort, The Bat-  
 tle of, 137.  
 Farmers' Alliance, The, 206, 200.  
 Fayetteville, Ark., 30.  
 Federation of Women's Clubs, 272.  
 Ferguson, Corporal, 267.  
 Field, Jas. G., 216.  
 Financial Speculation, 169, 174.  
 Fitch, Edward P., 225.  
 Fitch, Thos. G., 260.  
 Floyd, S. B., 60.  
 Ford, Geo. W., 262.  
 Ford, James H., 114, 116.  
 Forestry Station, 175.  
 Forsythe, Col., 136.  
 Fort Aubrey, 28; Blair, 109;  
 Dodge, 137, 168, 175; Ellsworth,  
 133; Hays, 136; Larned, 134;  
 Leavenworth, 34, 49, 52, 65, 100,  
 118, 129, 138, 169, 258, 264,  
 265, 277; Lincoln, 101; Riley,  
 35, 52, 278; Saunders, 64;  
 Scott, 34, 100, 172, 174, 178,  
 189, 259; Wallace, 137, 249.  
 Fossil Discoveries, 178, 237.  
 Foster, Chas. A., 71.  
 Fowler, Geo. A., 253.  
 Franklin, 59, 63, 64.  
 Frankln, Andrew, 241.  
 Francis, Governor, 193.  
 Franchise of Soldiers in Spanish  
 War, 265.  
 Fraser, Gen. John, 154, 155.  
 Fraudulent Voting, 51, 55, 69.  
 French Names, 14.  
 Freedman's State Central Associa-  
 tion, 153.  
 Free State Executive Committee,  
 130.

Free State Party, 210.  
 Frontier Guard, The, 96.  
 Frontenac Mine, 183.  
 Fruit, 158.  
 Fugitive Slave Law, 42.  
 Fuller, Neodesha, 242.  
 Funston, E. H., 216.  
 Funston, Frederick, 256, 257, 261.  
 265, 266, 267, 268.

## G

Gage, G. G., 115, 242.  
 Gaines, H. N., 216.  
 Gale Block, The, 93, 280.  
 Gano, Gen., 111.  
 Garden City, 186, 249.  
 Garnett, 172.  
 Garrison, Wm. Loyd, 225.  
 Gas City, 246.  
 Geary, Jno. W., 65, 66, 67, 88.  
 German Baptist College, 176.  
 Girard, 172.  
 Gladstone, Thos. H., 293.  
 Gladstone, Wm. Ewart, 293.  
 Glick, Governor, 177.  
 Goodin, Joel K., 70, 237.  
 Goodland, 212.  
 Goodnow, Isaac T., 236.  
 Goss, N. S., 211.  
 Government Aid for Education, 209.  
 Graham, Gen., 117.  
 Graham, Jas., 260.  
 Grain Laws, 207.  
 Grand Army of the Republic, 189, 251.  
 Grant, 139.  
 Grant, George, 146.  
 Grant, M. S., 113.  
 Grant Monument, 196.  
 Grant, Gen. U. S., 196.  
 Gray, Alfred, 122, 161, 162, 247.  
 Gray, Mrs. Mary T., 272.  
 Great Bend, 27, 176, 191, 259.  
 Great Bend of the Arkansas, 20.  
 Great Plains Country, Pike's Record, 23.  
 Great White Mountains, 21.  
 Green, Nemehlah, 137, 138, 199.  
 Greer, Clotilda Hilton, 250.  
 Greer, Samuel W., 97, 251.  
 Griffith, Wm. B., 91.  
 Grover, Capt., 113.  
 Grow, 123.  
 Gunn, L. C., 221, 223.  
 Guthrie, 194.  
 Gypsum, 183.

## H

Hale, Edward Everett, 158, 292.  
 Hale, S. J., 275.

Hamilton, Capt. Chas., 73.  
 Hamilton, Wm., 38.  
 Hanback, Lewis, 251.  
 Hancock, 133.  
 Hands, S. S., 178.  
 Harger, 299.  
 Harmony Mission, 36.  
 Harney, 134.  
 Harper, 217.  
 Harris, Wm. A., 216, 248.  
 Harris, Commissioner Wm. T., 238.  
 Harvey, A. M., 260.  
 Harvey, Capt., 65.  
 Harvey, F. D. G., 262.  
 Harvey, Governor, 122, 141, 145, 177, 231.  
 Harvey, Henry, 38, 292.  
 Haskell, Dudley C., 122, 168.  
 Haskell Institute, 168, 183, 234, 236.  
 Hay, Robert, 183.  
 Hays City, 128, 259.  
 Herron, Gen., 103, 164.  
 Hiawatha Academy, 176.  
 Hickox, James G., 156.  
 Hickory Point, 58, 66.  
 Highland Academy, 176.  
 Hillyer, George, 71, 91.  
 Hinton, Richard J., 294, 296, 297.  
 Histories of Kansas, 292, 295.  
 Holton, 84, 260, 275.  
 Holliday, C. K., 71, 113, 118, 145.  
 Homesteaders, The., 127, 159, 162.  
 Homestead Clause, The, 79.  
 Homestead Law, 123, 154.  
 Hopkins Henry, 111, 276.  
 Hopoeithleyohola, 102.  
 Horner, Miss, 297.  
 Horton, 242.  
 Horton, Chief Justice A. H., 223.  
 Howard Committee, The, 62.  
 Howe, E. W., 299.  
 Hoyt, Lieut.-Col., 43, 102.  
 Hudson, J. K., 243, 259.  
 Hudson, T. J., 217.  
 Huffman, Chas. S., 257.  
 Hughes, J. W. F., 222.  
 Hugoton, 182.  
 Humboldt, 172, 183.  
 Humphrey, L. U., 187, 193, 203, 215.  
 Hunt, M., 60.  
 Hunt, Josie, 297.  
 Hunnewell, 194.  
 Hurd, W. J., 275.  
 Hurley, 245.  
 Hutchinson, 168, 175, 183, 191, 250, 286.

## I

Independence, 250, 259, 275; Creek, 16; Missouri, 26.  
 Inebtedness Reduced, 250.  
 Indians: Tribes—Osages, Pottowatomies, Pawnees, Comanches, 17; Osages, Pawnees, Kansas, Padoucas; Relics of; Removed West of Mississippi River, 31; Shawnees, 31; Cherokees Moved to Indian Territory, 33; Delawares, Wyandottes, Pottowatomies, Weas, Piankeshaws, Iowas, Muncies, Peorias, Kaskaskias, Chippewas, 34; Tribal Civilization, 35; Mission and Missionary Work, 36; Language Systematized and Written, 39; Land Open to Settlers, 45; Served in U. S. Army, 101; Treaty with, 134; Treaty Broken, 134; Characteristics, 138; Lands Acquired by Railroads, 125, 163; Haskell Institute, 168, 234, 236; Wyandottes, 218.  
 Indian Territory, 284; Boundaries of, 32; Troubles, 103, 133 to 138.  
 Industrial Union, The, 201.  
 Ingalls, John J., 79, 94, 148, 157, 168, 195, 205, 294, 296.  
 Inman, Henry, 27, 28, 296.  
 Inter-State Artificial Rainmaking, 212.  
 Iola, 245, 250, 286.  
 Irons, Martin, 172.  
 "Iron Quill," 288.  
 Irrigation, 206, 243, 248; Commission, 243.  
 Ives, Jno. N., 203.  
 Irwin, Samuel M., 37.

## J

Jefferson, Thomas, 12, 15.  
 Jennison, Col. Chas. R., 100, 101, 111, 164.  
 Jewett, A. V., 275.  
 Johnson, Alexander, 38.  
 Johnson, A. S., 199.  
 Johnson, Hamilton P., 100, 101.  
 Johnson, John, 44.  
 Johnson, President, 131.  
 Johnson, Saunders W., 49.  
 Johnson, Rev. Thos., 38, 39, 41, 278.  
 Johnston, Joseph E., 212.  
 Johnston, Judge W. A., 223.  
 Jones, C. J., 180.  
 Jones, J. T., 37.

Jones, Samuel T., 262.  
 Jones, Sheriff, 58, 62, 67.  
 Jones, Wm. C., 136.  
 Judson, Wm. R., 100, 101, 120.  
 Junction City, 231, 261.

## K

Kansas: Eastern Boundary, 24; Part of Indian Territory, 24, 26, 33; Limit of Settlement, Theory, 25; Marks of the Dog Trail, 30; First Printing Press and Book, 37; Origin of Name, 43; Final Boundaries, 78; Temporary Capital, 78; Admitted to Union, 84; Lincoln's Proclamation, 89; Militia, 94; Soldiers in War of Rebellion, 96, 116; Educational Progress, 123; Homestead Law, 123; First Railroad, 124; Prosperity, 140, 180; The Centennial, 150; Last Grasshopper Raid, 151; Railroad System, 157; Kansas-Nebraska Anniversary, 158; Internal Progress, 156, 163; Omaha Exposition, 165, 252; Aid to the Suffering, 166, 211; New Orleans Exposition, 169; Spirit of Speculation, 169; Labor Legislation, 177; Drought of 1887, 180; Natural Resources, 183; Paris Exposition, 196; Columbian Exposition, 203, Annals, 216, 240, 248, 271, 295; Suffering in Western Kansas, 242; Political Issues of 1896, 246; Agricultural Reports, 249; Revenues from Taxes of 1897, 252; Spanish War, 256; State and Territorial Capitols, 277; Agricultural Possibilities, 283; Sheet Water, 285; Climate and Cultivation, 288; Records, 289; Literature, 291; Libraries, 296.  
 Kansas City, Kansas, 218, 250, 258, 272.  
 Kansas City, Missouri, 26.  
 Kansas Day, 87, 166, 252.  
 Kansas Magazine, The, 294.  
 Kansas-Nebraska: Act, 41, 130, 158; Bill, 275.  
 Kelley, Harrison, 251.  
 Kepford, 245.  
 Ketner, James, 120.  
 Kickapoo, 279.  
 Kingman, 191, 259.  
 Kingman, Samuel A., 77, 79, 90, 91, 198.  
 Knights of Labor, The, 201.

## L

Labor Day, 208.  
 La Croix, Father, 36.  
 La Crosse, 275.  
 La Harpe, 245.  
 Lake Sibley, 133.  
 Lamb, H. A., 260.  
 Land Offices, 127.  
 Lane, Amos, 129.  
 Lane, Jas. H., 59, 60, 93, 97, 105.  
     113, 123, 128, 129, 131.  
 "Lane Succession," The, 243.  
 Lane University, 280.  
 Lansing, 140.  
 Larned, 23, 28, 259, 275.  
 Lawrence, City of, 48, 50, 51, 59.  
     60, 62, 65, 66, 82, 87, 95, 99, 105,  
     110, 123, 130, 140, 153, 168, 170,  
     183, 210, 225, 232, 236, 237, 242,  
     253, 259, 272, 275, 279, 280.  
 Lawrence, Amos A., 172.  
 Leavenworth, City of, 48, 50, 55,  
     64, 71, 99, 102, 120, 153, 169,  
     197, 259, 264, 269, 272, 273, 279.  
 Leavenworth Collegiate Institute,  
     225.  
 Leavenworth, Col. Henry, 35.  
 Lecompton, 55, 62, 64, 65, 66, 67.  
     83, 87, 279.  
 Lecompte, Samuel D., 49, 62, 67.  
     181.  
 Lee, Albert, 120.  
 Lee, Capt. Thos. J., 44.  
 Leedy, Gov., 245, 257, 261, 271.  
 Legislative Acts of 1889, 188; Of  
     1891, 205; Of 1893, 220.  
 Legislature: First Territorial, 52.  
     53, 278; Second Territorial, 67,  
     70, 279; Third Territorial, 70;  
     Fourth Territorial, 75; Fifth  
     Territorial, 87, 162; Special Ses-  
     sion of Second Territorial, 70;  
     First State, 93, 280; Special  
     Session of 1898, 271; Biennial  
     Sessions, 154.  
 Leroy, 259.  
 Levering, 245.  
 Lewelling, Lorenzo D., 216, 220,  
     221, 222, 226.  
 Lewis and Clark Expedition  
     Planned by Jefferson, 15; Prog-  
     ress of, 15, 16.  
 Lewis, Wm. H., 137.  
 Liberal, 189.  
 Lincoln, Abraham, 89, 97, 119, 123.  
 Lindsborg, 176, 186.  
 Lindsey, Henry C., 260.  
 Linn County, 17.

Little Blue River, The Battle of,  
     114.  
 Little, Edward C., 257, 261, 265.  
 Little, John C., 260.  
 Little, J. T., 216.  
 Little Osage River, 101.  
 Live Stock Laws, 209.  
 Longevity in Kansas, 241.  
 Long's Expedition, 23.  
 Long, Stephen H., 23.  
 Loretta, Sisters of, 36.  
 Louisiana Purchase, 12, 25; Occu-  
     pied by U. S., 12; First Gov-  
     ernor, 13.  
 Lupfer, A. H., 275.  
 Lowe, D. P., 145.  
 Lowman, Hovey A., 105.  
 Lykins, Dr., 38.  
 Lyons, 191.  
 Lyons, Nathaniel, 99.

## M

Manhattan, 123, 140, 143, 199.  
     236, 289.  
 Marias des Cygnes, 17; Massacre,  
     73, 84.  
 Margares, Lieut., 19, 22.  
 Marmaduke, Gen., 109, 111, 117,  
     171.  
 Marquette, Father, 31.  
 Martin, Geo. W., 148, 151, 154, 157.  
 Martin, John, 223, 243.  
 Martin, John A., 78, 79, 120, 150,  
     160, 165, 171, 174, 177, 182, 187,  
     196, 197, 294.  
 Marysville, 28; Elwood R. R., 124.  
 Massachusetts Emigrant Aid So-  
     ciety, 172.  
 Maxey, 111.  
 McAfee, J. B., 225.  
 McCall, 129.  
 McCoy, Isaac, 38, 292.  
 McCoy, J. G., 156.  
 McCray, D. O., 275.  
 McCrum, Chas., 257, 260.  
 McDonald, N., 275.  
 McFarland, N. C., 251.  
 McKay, Wm., 71.  
 McKinley, President, 245, 257.  
 McLain, Capt., 114.  
 McNeil, Gen., 112, 116.  
 McPherson, 30, 260.  
 McTaggart, Daniel, 251.  
 McTaggart, Wm. A., 268.  
 Meade Center, 189.  
 Medary, Samuel, 73, 75, 87, 88.  
 Medicine Lodge Creek, 134.  
 Meeker, Rev. Jotham Melbourne,  
     212.

Mennonites, The, 146, 147.  
 Metcalf, Major Wilder S., 257, 266.  
 Meteorology, 241, 285.  
 Methodist Church, 218; Washington, D. C., 178.  
 Metropolitan Police Law, 184.  
 Mexican: Mountains Sighted by Pike, 21; Revolution, Effect of, 25; Pilgrimage, 180.  
 Middle Creek, 64.  
 Midland College, 176.  
 Miller, Judge, 163.  
 Miller, Sol., 251, 294.  
 Millard, H. L., 187.  
 Milligan, Gen., 101.  
 Mine Disasters, 183.  
 Minneola, 71.  
 Missions, 37; Bell, 39.  
 Missionary Work, 36.  
 Missouri Compromise, 41.  
 Missouri River, 24; Closed Against Free State Travel, 67.  
 Mitchell, Robert B., 98, 99, 120, 164.  
 Moonlight, Thos. A., 113, 114, 116, 117, 120, 273.  
 Montgomery, Col. James, 100, 102, 115.  
 Monuments, 242, 196.  
 Moore, H. Miles, 60.  
 Mound City, 75.  
 Moores, John, 136.  
 Morse, Rev. G. C., 108.  
 Morrill, Gov., 245.  
 Morgan, 299.  
 Municipal Debts, Dangers of, 174.  
 Myers, Gen. Murray, 182, 195.

## N

Nace, Wm., 279.  
 Natchitoches, 22.  
 National Cemetery, The, 169.  
 Natural Gas, 174, 183, 237, 245, 286.  
 Natural Resources, 183.  
 Nebraska Bill, 41.  
 Nees, S. M., 275.  
 Nelson, Frank, 275.  
 Neodesha, 238, 242, 250, 286.  
 Neosho Falls, 211.  
 Ness City, 189.  
 New Basle, 241.  
 Newspapers, First, 48, 62, 83, 84, 174, 196, 214, 251, 253, 291.  
 New Orleans Exposition, The, 169.  
 New Mexico, 25.  
 Newton, 156, 176, 241.  
 Nichols, Mrs. C. H. I., 80.  
 Nicholson, John, 260.

Nicodemus, 153.  
 No-Man's Land, 182.  
 Northrup, Mrs. Margaret, 177.  
 Norton, 259.  
 Nortonville, 242.

## O

Oak Hill Cemetery, 234.  
 Oklahoma Boom, 170, 194, 212.  
 Oil, 183, 237, 250, 286.  
 Olathe, 141, 172.  
 Omaha Exposition, 252.  
 One Hundred and Ten, 279.  
 Oregon Trail, The, 28; First Great Highway, 28.  
 Organic Act, 326.  
 Original Package Case, 201.  
 Ornithological Collection, 211.  
 Osage City, 259.  
 Osage Ceded Lands, 162, 163.  
 Osage River, 17, 19.  
 Osborn, Thos. A., 143, 148, 177, 253, 254.  
 Osborn, R. S., 216, 220.  
 Osborn, S. J., 271.  
 Oskaloosa, 193.  
 Osawatomie, 63, 64, 82, 84, 86, 140, 175, 209, 250, 259.  
 Otis, Gen. Harrison Gray, 262, 267.  
 Ottawa, 172, 189, 237, 241, 259; Mission, 38; University, 176.

## P

Paine, Albert Bigelow, 299.  
 Palmer, 245.  
 Paola, 102, 113, 174, 250.  
 Parks, J. S., 248.  
 Parrott, Marcus J., 69, 70, 93, 97.  
 Parsons, 153, 171, 260.  
 Pate, H. Clay, 63.  
 Patrick, L. L., 172.  
 Patrons of Husbandry, The, 201.  
 Pawnee, 52, 53, 278.  
 Pawnee Republic, 17.  
 Pawnee Rock, 27.  
 Pawnee Village, 19, 187.  
 Payne, David L., 170, 171.  
 Peak, Pike's, 21.  
 Peck, Geo. R., 196.  
 Pedro II., Dom, 150.  
 Pfeffer, Wm. A., 205.  
 Perkins, Bishop W., 215, 235.  
 People's (Populist) Party, The, 201, 216, 217.  
 Pierce, Pres. Franklin, 48, 275, 181.  
 Pike, Lieut. Z. M., 17, 19, 20, 21, 22, 23, 24, 25, 186, 187, 283, 284, 285, 286, 289.

Pike's Expedition, 16 to 22.  
 "Pilgrim Fathers," The Kansas. 127.  
 Pittsburg, 259, 275.  
 Phillips, Wendell, 225.  
 Phillips, Wm. A., 64, 71, 102, 103, 144, 245, 291, 293.  
 Platte Purchase, 24.  
 Platte River Valley, 28.  
 Pleasonton, Alfred, 112, 116.  
 Plumb, Preston B., 154, 166, 187, 190, 193, 213, 214, 215, 236.  
 Pomeroy, Jas. P., 178.  
 Pomeroy, Samuel C., 48, 93, 128, 148, 210.  
 "Pomeroy Succession," The, 243.  
 Pony Express, The, 89.  
 Ponzillione, Father, 39.  
 Population, 1853, Center of, 41, 96, 140, 160, 161, 177, 203.  
 Pottawatomie Creek, 63; Massacre, 83.  
 Prairie Grove, Battle of, 102.  
 Price, Sterling, 100, 101, 110, 111, 112, 116, 117, 120, 121, 133, 164.  
 Price Raid, The, 111, 112, 113, 117, 118.  
 Printing Press, 291.  
 Private Indebtedness Paid in 1899, 274.  
 Prather, Van Buren, 216.  
 Pratt, Chas., 266.  
 Pratt, Jno. G., 39.  
 Prohibition: Amendment, 157; Law, 184, 201, 240.  
 Prouty, S. S., 139, 143.

## Q

Quantrell, 105, 107, 108, 109, 242.  
 Quantrell Raid, 105, 242.

## R

Rafter, Jno. A., 257.  
 Railroads, 124, 125, 133, 145, 146, 157, 163, 175, 178, 184, 199.  
 Railroad Commissioners, 242, 247.  
 Railroad Land Grants, 124, 125, 145, 224.  
 Railroad Legislation, 271.  
 Railroad Strikes, 171.  
 Rainmaking, 212.  
 Rains, Gen., 100.  
 Randolph, 299.  
 Rankin, Jno. K., 107.  
 Reaife, Richard, 297.  
 Real Estate, The First "Boom," 46.

Red River, 17.  
 Reeder, Andrew H., 49, 50, 51, 52, 53, 56, 60, 62, 88, 277, 278, 279.  
 Reed, Gen. Jno. W., 64, 67.  
 Relics of 1794, 252.  
 Relics, Spanish and Indian, 187.  
 Republican River, The, 133.  
 Resources of 1874, 148.  
 Reynolds, Capt., 262.  
 Rich, Benj., 205, 221, 223.  
 Richardson, Albert D., 71, 294.  
 Richardson, Rev. A. M., 203.  
 Richardson, Gen., 59.  
 Richter, Lieut.-Gov. H. E., 271.  
 Riley, Bennett, 35.  
 Rio Grande Del Norte, 22.  
 Ritchie Block, The, 93, 280.  
 Ritchie, Jno., 120.  
 Robinson, Chas., 48, 59, 60, 62, 63, 67, 91, 95, 123, 130, 165, 171, 183, 203, 231, 232, 233, 234, 235.  
 Robinson, David H., 243.  
 Robinson, Jno. P., 91.  
 Robinson, J. W., 71.  
 Robinson, M., 73.  
 Robinson, Mrs. Sara T. L., 234, 293.  
 Roberts, W. Y., 60, 70.  
 Rocky Mountains Sighted by Pike, 21, 30.  
 Root, Jos. P., 91.  
 Rosecrans, Gen., 112.  
 Ross, Edmund G., 39, 70, 128, 132.  
 Ross, Patrick, 73.  
 Rossville, 193.  
 Rusk, Jeremiah M., 190.  
 Ryan, Thos., 162.

## S

Salina, 135, 176, 244, 259.  
 Salt, 183, 190, 250.  
 Salter, Mrs. Medora, 177.  
 Sanborn's, 116.  
 Santa Fe, 25.  
 Santa Fe Coal, 184.  
 Santa Fe Trail, 25, 26, 27, 28, 30, 167.  
 Sappa River, The, 138.  
 Saunders, Gen., 237.  
 Schmidt, C. B., 146.  
 Schneider, Edw. F., 120.  
 Schoenmakers, Rev. Jno., 36.  
 School Houses Built in 1887, 179.  
 Schuyler, P. C., 60, 70.  
 Sedan, 238.



- Senators, U. S., 93, 128, 143, 148, 154, 157, 166, 168, 188, 205, 215, 223, 243, 248, 367.  
 Seneca, 240, 246, 260.  
 Sewall, 245.  
 Seward, Wm. H., 87.  
 Shannon, Geo., 16.  
 Shannon, Wilson, 16, 56, 58, 59, 65, 88, 279.  
 Shawnee Mission, 38, 277, 288; Legislature, 55, 62, 63; Manual Labor School, 38, 52, 53, 277.  
 Sheet Water, 285.  
 Shelden, Rev. Chas. M., 299.  
 Sheridan, Gen., 135, 136.  
 Sherman, Lieut.-Gen., 13, 134, 135.  
 Sherry, Byron, 113.  
 Slimerwell, Robt., 39.  
 Simpson, Benj., 79, 91.  
 Simpson, Jerry, 217.  
 Single Tax Clubs, The, 201.  
 Slavery, 47; Abolished in the Territory, 88.  
 Slemmons, Gen., 117.  
 Slough Creek, 66.  
 Smith, 103.  
 Smith, A. J., 116.  
 Smith Center, 259.  
 Smith, Frank, 275.  
 Smith, Geo. W., 70.  
 Smith, G. W., 60.  
 Smith, Harry A., 260.  
 Smith, Henry D., 257.  
 Smith, Lafayette C., 257.  
 Smoky Hill River, 133, 178, 249; Valley of, 30.  
 Snow, 178.  
 Snow, E. H., 206, 223.  
 Snow, Francis Huntington, 202, 203, 287.  
 Snow Hall, 175.  
 Soapstone, 183.  
 Social Science Club, 272.  
 Soldiers: Census, 169; Colored, 102; Home, 169, 176, 189, 197, 209; Indian, 102; Regiments Disbanded, 120; Commissioned Officers, 120; Orphans' Home, 168; Quota During Civil War, 96; Away from Home, 99.  
 Solomon Valley, The, 133.  
 Sons of the Revolution, 251.  
 Southwest College, 176.  
 Spanish Explorations, 14; Name, 14; Trail, 19, 20; War, 254.  
 Speer, John, 60, 105, 107, 130, 291.  
 Speer, Joseph, 291.  
 Spindler, J. W., 275.  
 Spooner, Wm. B., 224, 225.  
 Squatters: Claims, 45; Rights, 23.  
 Stanton, Frederick P., 68, 69, 70, 73, 93.  
 Stanley, W. E., 252, 271.  
 State Accountant, 244.  
 State Agent, 224.  
 State Agricultural Society, 162.  
 State Bar Association, 198.  
 State Bank Commissioner, 208.  
 State Boards: Agriculture, 150, 162, 209, 246, 249; Canvassers, 220; Charities, 175; Irrigation, 248.  
 State Capitals, 277.  
 State Constitution, 336.  
 State Geologist, 243.  
 State Grain Inspector, 207.  
 State Historical Society, 121, 122, 176, 213.  
 State House, 141, 175, 185, 209, 271, 281.  
 State Institutions: Blind Asylum, 141; Deaf and Dumb Asylum, 141, 175, 209; Insane Asylum, 140, 143, 175, 183, 209, 271; Idiotic and Imbecile Youth, 175.  
 State Insurance Commissioner, 274.  
 State Labor Department, 196.  
 State Library, 272.  
 State Librarian, 272.  
 State Medical Society, 185, 287.  
 State Motto, *Ad Astra per Aspera*, 94.  
 State Officers, 363.  
 State Penitentiary, 140, 143.  
 State Printer, 139, 143, 154, 157, 166, 168, 177, 188, 223, 243, 248, 275.  
 State Reform Schools: Boys, 168, 175; Girls, 168, 176, 184, 185.  
 State R. R. Commissioners, 141.  
 State Row, 141.  
 State Schools: Agricultural College, 123, 140, 143, 211, 243, 244, 260; Normal, 123, 141, 143, 175, 236, 257, 260; University, 123, 140, 143, 147, 155, 172, 175, 179, 202, 224, 234, 243, 244, 253, 256, 257, 260, 262, 272, 285.  
 State Supreme Court First, 79.  
 State Veterinarian, 244.  
 Statistics, 148, 158, 174, 178.  
 Steamboat, First on Missouri River, 23.  
 Steele, Gen., 109, 110.  
 Steele, Capt. Jas. W. (Monahan Deane), 294.  
 Sterling, 176, 189, 191.  
 Sternberg, Chas. H., 237.  
 Stewart, Jno. P., 260.

Stillwell, Wm., 73.  
 Stockton, 103.  
 Stoddard, Major, 12, 284.  
 Stone, Fred M., 262.  
 Stormont, Dr. D. N., 185.  
 Stormont, Mrs. Jane, 185.  
 St. Bernard, 279.  
 St. John's, 163, 177; Lutheran College, 176; Military School, 176.  
 Stull, Rev., 198.  
 Sturdevant, Mrs., 23.  
 Strickler, Gen., 59.  
 Stryker, Wm., 275.  
 Sugar: Bounties, 189, 209; Manufactories, 188, 189, 196.  
 Sully, Gen., 135.  
 Sumner, Col., 59, 61.  
 Sunday, Chas. S., 262.  
 Sunflower: State Flower, 167; On Santa Fe Trail, 26.  
 Supreme Court, First Reunion of, 198.  
 Sykes, Major-Gen., 110, 113.  
 Syndicate Speculation, 175.

## T

Taft, Laredo, 196.  
 Taylor, A. R., 236.  
 Tecumseh, 279.  
 Tennesseeetown, 153.  
 Tenny, 103.  
 Territorial: Capitals, 53, 55, 277; Elections, 69; Governors, 88, 362; Legislatures, —; Militia, 66; Officers, 60, 362.  
 Terry, 134.  
 Texas Cattle Drive, The, 156.  
 Text Books: Commissioners, 275; Law, 275.  
 Thacher, Solon, 80, 243.  
 Thacher, T. Dwight, 166, 168, 237, 294.  
 Thayer, 238.  
 Thayer, Gov., 193.  
 Tholen, Wm., 91.  
 Thurston, E. M., 60.  
 Timber, 286.  
 Titus, Col. H. C., 63.  
 Topeka. City of, 46, 55, 60, 61, 78, 93, 95, 115, 135, 143, 145, 150, 153, 174, 175, 176, 182, 193, 198, 201, 211, 215, 237, 240, 242, 251, 253, 258, 280.  
 Topeka: Constitutional Convention, 129; Constitution, 55, 61, 280; Government, 55, 62, 130, 233; Legislature, 60, 61; Town Association, 281.

Topography, 9; Effects on Literature, 10.  
 Toronto, 22.  
 Trading Post, 73.  
 Trail Dog, 30; From the South, 30; Oregon, 28; Santa Fe, 25, 27.  
 Traveling Libraries, 272.  
 Treason Program, 62, 67.  
 Treaty of Paris, 25.  
 Tree Culture, 175.  
 Trembly, Private, 268.  
 Tribune, 182.  
 Turkey Creek, 30.  
 Turner, F. W., 260.

## U

Underground River, The, 285.  
 Uniformity of School Text Books, 275.  
 Union Emigration Society, The, 46.  
 Union School House, 225.  
 Uniontown, 41.  
 Updegraff, W. W., 93.

## V

Van Buren, Martin, 186.  
 Veale, George W., 115.  
 Vigilance Committee, 64.  
 Volunteer Organizations, 97.  
 Vote of 1872, 158.

## W

Wakarusa War, The, 58, 82, 213.  
 Wakefield, Jno. A., 60.  
 Walden, J. M., 71.  
 Walker, Col. Isaac, 64, 95.  
 Walker, Robt. J., 68, 69, 88.  
 Walker, Samuel B., 114, 225.  
 Waller, Jno. L., 241.  
 Walsh, Hugh, 73.  
 War, Legislative, of 1893, 220.  
 Ward, Mrs. Mary, 251.  
 Ware, David, 185.  
 Ware, Eugene F., 86, 297.  
 Washburn College, 244, 260.  
 Washington, President, 262.  
 Watle, Stand, 104, 111.  
 Wattles, Col., 111.  
 Watson, Thos., 246.  
 Weaver, Jas. B., 216.  
 Weer, Col. Wm., 100, 102.  
 Weir City, 240.  
 Wellhouse, Judge, 238.  
 Wellington, 171, 191, 217, 240, 259.  
 Wesleyan University, 176, 244.  
 "Western Engineer." First Steamboat on Missouri River, 23.

- Weston, Mo., 48.  
 Westport, Mo., 26; Battle of, 116.  
 Wichita, 135, 157, 174, 176, 240, 259.  
 "Wild Bill," 156.  
 Wilder, A. C., 97, 102, 123, 145.  
 Wilder, D. W., 224, 294, 295, 297, 299.  
 Wilkinson, Allen, 63.  
 Wilkinson, Gen. James, 20.  
 Wilkinson, Sheriff, 222.  
 Williams, Major, 112.  
 Williams, Jas. M., 104.  
 Willitts, Jno. F., 203.  
 Wilson, 202.  
 Wilson Bill, The, 202.  
 Winchell, Benj., 79, 91.  
 Winfield, 175, 176, 259, 275.  
 Winslow, 116.  
 Wheat, 158.  
 Wheaton, Gen. Loyd, 268.  
 Wheeler, J. B., 71.  
 White, Chlef, 17.  
 White, James, 241.  
 White, Private, 268.  
 White, Wm. Allen, 299.  
 Whitehead, 279.  
 White Man's Road, 30.  
 White Rock Creek, 133.  
 Whitfield, Gen. Jno. W., 40.  
 Whitman, F. H., 257.  
 Whittier, Jno. G., Poem by, 74.  
 Woman's Christian Temperance Union, 184.  
 Woman's Rights, First Advocate of, in Kansas, 80.  
 Woman Suffrage, 177, 235.  
 Women's Interest in the Kansas Centennial Exhibit, 150.  
 Women Officials, 193.  
 Wolf, Innocent, 184.  
 Wood, Samuel N., 58, 113, 182, 213.  
 Woodsdale, 182.  
 Woodson, Daniel, 49, 61.  
 Woodward, W. E., 260.  
 Worrall, Henry, 151, 252.  
 Wyandotte, 113, 114, 141, 145, 153, 162, 171, 174.  
  
 Y  
 Yates, G. W. W., 225.  
 York, 22.  
 Young, H. H., 261.  
  
 Z  
 Zimmerman, Topeka, 242.

4301



